

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38148 of 2018**

Arising Out of PS. Case No.-49 Year-2017 Thana- BIHIYA District- Bhojpur

Kanhai Kumar Singh, Son of Late Ran Vijay Singh, Resident of Village-  
Chachaul, P.S. Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      06-07-2018                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since  
22.04.2017 in connection with Bihiya P.S. Case No. 49 of 2017  
registered for the offence punishable under Sections 328 and  
379/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that one Sikesh Kumar came to his house and asked to load all  
the marriage articles in his tractor and trailer. The petitioner also  
accompanied the informant. On the way, he was made to leave  
the tractor in an unconscious position. Thereafter, petitioner and  
other accused took away his tractor.

It has been submitted by the learned counsel for the  
petitioner that he is innocent, bears no criminal antecedent and



has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner and that he has no connection with another co-accused, Sikes Kumar.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-5, Bhojpur at Ara in connection with Bihiya P.S. Case No. 49 of 2017.

**(Nilu Agrawal, J.)**

Arjun/Ragini

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