

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77055 of 2018

Arising Out of PS. Case No.-319 Year-2016 Thana- BARH District- Patna

ANUP KUMAR @ ANUP MAHTO, Son of Ram Raj Mahto @ Ram Raj Prasad, resident of village- Ward No. 9, Atnauwan, P.S. Barh, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar

For the Opposite Party/s : Mr.Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Barh P.S. Case No. 319 of 2016 registered for the offence punishable under Sections 364 and 365 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that Petitioner is not named in the FIR. His name has surfaced in this case during the course of investigation. He has been falsely implicated in this case only on suspicion, except suspicion, no incriminating material against petitioner. It has been further submitted that co-accused Prahlad Mahto, who is the father of girl, with whom the deceased had love affair and was named in the FIR has already been granted regular bail as contained in



Annexure-2 and other co-accused, namely Shashi Prasad Verma @ Budhan has been granted anticipatory bail by this Hon'ble Court vide order dated 06.12.2018 passed in Cr. Misc. No. 62609 of 2018. Petitioner is in custody since 25.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Barh, District- Patna, in connection with Barh P.S. Case No. 319 of 2016 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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