

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13492 of 2018

Arising Out of PS.Case No. -599 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Upendra Kushwaha S/o Ram Raj Singh Kushwaha, R/o Village- Marchi,
P.S.- Bhagwanpur, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Bhabua P.S.Case No.599 of 2017 , registered for offences punishable under Sections 420, 312 and 313 of the Indian Penal Code.

Allegation against the petitioner as per FIR is of miscarriage of pregnancy.

Submission of the learned counsel for the petitioner is that he is not named in the FIR and his name has transpired on the statement of the informant under Section 164 Cr.P.C. and he has been named along with four other accused persons and no specific role has been assigned against the petitioner. The other accused persons having similar allegation have been granted



privilege of anticipatory bail vide order dated 22.2.2018 passed in Cr. Misc. No.3484 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhabua, Kaimur in connection with Bhabua P.S.Case No.599 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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