

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21849 of 2018

Arising Out of PS.Case No. -23 Year- 1998 Thana -BHADAURA District- PATNA

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1. Kavindra Prasad Singh @ Kavindra Singh, S/o Late Binda Singh,
2. Devendra Singh S/o Chandrika Singh, Both R/o Sikandarpur, P.S.-
Bhadaur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Mishra

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Bhadaur P.S.Case nO.23 of 1998 , registered for offences
punishable under Sections 302, 201/34 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name
transpired during the course of investigation.

Submission of the learned counsel for the petitioner is that
the case is of the year, 1998 and the final form has been submitted
against the petitioner not finding the case true against the
petitioner but the learned Magistrate has taken cognizance after 18
years in the year, 2017.

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 receipt of the 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 Sri Pankaj Kumar Tiwary, ACJM II, Barh in connection with Bhadaur P.S.case no.23 of 1998, 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 direction, this application is allowed.

(Vinod Kumar Sinha, J)

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