

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26705 of 2018

Arising Out of PS. Case No.-23 Year-2010 Thana- DINARA District- Rohtas

Haridwar Singh, S/o Late Ram Bachan Mahto, Resident of Village-Bensagar,
P.S.-Dinara, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 05-07-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Dinara P.S. Case No.
23 of 2010 instituted for the offence under Section(s) 302,
120(B)/34 of the Indian Penal Code.

It has been submitted that there is no eye-witness in this
case. Mere suspicion has been raised against this petitioner in
the written report by the informant. Learned counsel for the
petitioner further submits that other two co-accused persons
namely Jitendra Singh and Ramayan Singh who are said to be
neighbours of the parents of the informant has already been
granted anticipatory bail vide order dated 17.12.2012 passed in
Cr. Misc. 32918 of 2012. In the written report petitioner is
alleged to be living in the boundary of the parents of the



informant. Mere suspicion has been raised against him. It is alleged that petitioner has committed the offence to grab the land of parent of informant.

A report was called for from the court below whether process under Sections 82 and 83 has been issued against this petitioner. The report has been received wherein it is mentioned that no process under Sections 82 and 83 has been issued against this petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Dinara P.S. Case No. 23 of 2010, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the J.M.-1st Class, Bikramganj subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the



petitioner and (3) if 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.

(Sanjay Priya, J)

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