

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16629 of 2018

Arising Out of PS.Case No. -138 Year- 2014 Thana -SUPAUL District- SUPAUL

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1. Nisith Kumar Singh @ Deepak Kumar Singh @ Nisit Kumar Singh,
S/o Late Hriday Narayan Singh, Resident of Ward No. 07, Chakla
Nirmali, P.S. + District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection
with Supaul P.S. Case No. 138 of 2014 for the offence registered
under Sections 417/420/467/468/471/120B/194/195/198/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that an
altogether mischievous case has been registered against the
petitioner alleging false statements that he had procured a medical
report from the doctor though he had not been examined at the
said hospital. The allegation, thus, is that the petitioner has been
found guilty for the offence under Section 420 and other allied
sections of the Indian Penal Code. So far as the offence under



Sections 194, 195 and 198/34 of the Indian Penal Code are concerned, the same cannot be made out and such offences can be tested only in trial. He, thus, submits that the entire case is frivolous, motivated and intended to humiliate and harass the petitioner, who has already suffered at the hand of the informant, who had been placed behind bars on account of earlier case filed by the petitioner.

Learned counsel for the petitioner has also drawn the notice of the Court to the fact as stated in para-16 of the present application wherein it has been brought on record that the petitioner had earlier moved this Court in Cr. Misc. No.24380 of 2014 against the execution of warrant of arrest against the petitioner which had been stayed by this Court and it is only after the dismissal of the said case the petitioner has started apprehending against his arrest and has moved the present anticipatory bail application.

Having considered the entire facts and circumstances of the case and upon consideration of the documents, which have been annexed with the present application, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No. 138 of 2014, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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