

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17567 of 2019

Arising Out of PS. Case No.-300 Year-2017 Thana- DULHIN BAZAR District- Patna

Surajbhan Kumar, Male, aged about 38 years, Son of Bhushan Yadav,
Resident of Village - Sarkuna, P.S.- Dulhin Bazar, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Parashuram Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 302/34 of the Indian Penal Code registered in
connection with Dulhin Bazar P.S. Case No. 300 of 2017.

3. It is submitted that the petitioner has been falsely
implicated and in any event after due investigation of the case, final
form has been submitted by the police and the petitioner was not sent
up. Differing from the same, cognizance has been taken against the
petitioner. Similarly situated accused persons, namely, Bittu Kumar,
Chandan Kumar @ Chandan @ Amit Kumar and Santosh Kumar
have been granted anticipatory bail by coordinate Benches of this
Court vide orders dated 11.04.2018, 20.04.2018 and 20.02.2019
passed in Cr. Misc. No. 16779 of 2018, Cr. Misc. No. 20380 of 2018
and Cr. Misc. No. 119 of 2019, respectively. The petitioner claims
clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur, Patna in connection with Dulhin Bazar P.S. Case No. 300 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

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

(iv) That the petitioner shall cooperate 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.

BT/-

(Vikash Jain, J)

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