

Arising Out of PS. Case No.-252 Year-2018 Thana- BHARGAMA District- Araria

## Versus

The State of Bihar..... Respondent/s

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Respondent/s : Mr.Mukeshwar Dayal, A.P.P.

## ORAL ORDER



implicated in this case due to dirty village politics. He is not named in the F.I.R. No incriminating article has been recovered from the conscious physical possession of the petitioner. Though, Rs.4800/- and one mobile set has been seized from the house of the petitioner but the said mobile and money is hailing to the petitioner and seized articles were not put on T.I.P. He was also not put on T.I.P. as yet. He has no criminal antecedent. He is a minor. He has been languishing in custody since 23.11.2018. Father of the petitioner is ready to take his custody and proper care. Similarly, situated other co-accused namely Diwakar Kumar Yadav has been enlarged on bail by co-ordinate Bench of this Court passed in Criminal Miscellaneous No. 17007 of 2019 vide order dated 25.3.2019.

5. Learned counsel for the State opposed the prayer of the petitioner.

6. After hearing the learned counsel for the both the parties and on perusal of the materials available on record, I find substance in contention of the learned counsel for the petitioner.

7. Considering the facts and circumstances stated above, in my opinion, the impugned order is not fit to be sustained. Hence, the impugned order is set aside. The petitioner abovementioned is directed to be released on bail on furnishing



bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Araria in connection with Special (Child) Case No.02 of 2019 (arising out of Bhargama P.S. Case No. 252 of 2018), on the following terms and conditions:-

(i) One of the bailors will be the father of the petitioner.

(ii) Father of the petitioner will produce the petitioner in the court if and when required.

(iii) The petitioner will not indulge in similar or in any other offence.

(iv) in case of his absence for two consecutive dates or in case of violation of the terms of the bail, his bail bond will be liable to be cancelled by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Araria and he will be taken into custody.

8. In the result, this application is allowed.

**(Prakash Chandra Jaiswal, J)**

T.Kr./-

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