

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30883 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- SANHAULA District- Bhagalpur

Rajeev Kumar Das @ Rajiv Das, aged about 40 years, Male, Son of late Gulabi Das, Resident of Village - Lougain, P.S.- Dhoraiya, Lougain, P.O. - Batsar, Distt -Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar, Advocate
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sanhaula
P.S. Case No. 140 of 2018 registered under Sections 364(A),
384, 386, 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is not named in the written report.

It is alleged in the written report that the father of the
informant had gone at 9.00 A.M. for Middle School, Nadiyama,
from his house and did not return the school. The informant
made search, but no trace was made out.

It is mentioned in the impugned order that victim has
returned to the house on the next day and his statement has been
recorded which is available in paragraph-12 of the case diary.
The informant has not named the petitioner. During



investigation, the co-accused has taken the name of the petitioner. There is no allegation against the petitioner. The petitioner is in jail since 01.11.2018.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Sanhaura P.S. Case No. 140 of 2018, subject to the following conditions :

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Anjani Kumar Sharan, J)

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