

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31689 of 2019

Arising Out of PS. Case No.-70 Year-2018 Thana- MARANCHI District- Patna

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TOPARIYA SINGH @ TOPARI SINGH, Gender, Male, Aged about 30 years,
Son of Nunu Singh @ Rama Kant Singh, Resident of Village - Maranchi
Bhagat Tola, P.S.- Maranchi, Distt - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : M/s A. K. Thakur,
Sanjay Kumar @ S.K.
Anjana, Advocates
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 17-08-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 302 of the Indian Penal
Code and Section 27 of the Arms Act.

Informant has alleged that on 17.7.2018 at about 12 O'
clock, F.I.R. named three accused took away his son Niraj
Kumar from his house and after 2-3 hours when he tried to
contact his son on his mobile, he could not be contacted then he
started searching for his son and went near the house of Lalan



Singh and on seeing him, Diwakar Singh @ Gulten Singh ordered to kill his son upon which allegation against the petitioner and Bona Singh is to have caught hold of son of the informant and, thereafter, allegation against Bambam Singh @ Banara is of firing upon his son, as a result of which he died.

It has been submitted that there is no allegation against the petitioner of taking away his son from his house and even in the F.I.R. only allegation is that he caught hold of his son. Petitioner is in custody since 30.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Maranchi P.S. Case No.70/18, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the 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.

(S. Kumar, J)

Sanjay/-

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