

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40409 of 2019**

Arising Out of PS. Case No.-265 Year-2018 Thana- KUSHESHWARASTHAN District-  
Darbhanga

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SUSHIL KUMAR SINGH @ GUDDU SINGH Son of Hare Krishna Singh @  
Natwar Singh Resident of Village - Laranch, P.S.- Kuseswar Asthan, District  
- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bipin Bihari Singh  
For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
**ORAL ORDER**

3      28-08-2019      Heard learned counsel for the petitioner and learned APP for the  
State.

2. The petitioner apprehends his arrest for the offences alleged  
under Sections 341, 323, 379, 307,386, 506, 504/34 of the Indian  
Penal Code registered in connection with Kuseswar Asthan P.S. Case  
No. 265/2018.

3. It is submitted that the petitioner has been falsely implicated  
in the backdrop of money dispute between the parties. The petitioner  
had gone to the informant to demand repayment of the amount earlier  
advanced to him, but instead the present FIR has been lodged alleging  
extortion. The petitioner himself has also filed FIR being Kuseswar  
Asthan P.S. Case No. 268/2018. Both sides have received injury and the  
petitioner's father has sustained grievous injury (Annexure-3). The  
petitioner claims clean antecedents.

4. Learned APP refers to the injury report in the case diary  
which discloses that the injuries are simple in nature. No other  
objective material has been pointed out from the case diary against the  
petitioner.

5. 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 J.M. Ist Class, Darbhanga, in connection with Kuseshwar Asthan P.S. Case No. 265/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following 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 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.
- iv. 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.

**(Vikash Jain, J)**

Chandran/-

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