

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65005 of 2018

Arising Out of PS. Case No.-247 Year-2018 Thana- SABAUR District- Bhagalpur

Harpal Singh, Son of Late Dilip Singh, resident of 10-A Mominpore Road,
Khiddirpur, P.S. Ekbalpur, District Kolkata (West Bengal).

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Sinha, Advocate
For the Opposite Party : Mr. Rajendra Pd. Nat, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 365/34 of the Indian Penal Code registered in
connection with Sabour P.S. Case No. 247 of 2018.

3. It is submitted that the petitioner has been falsely
implicated merely because he happens to be an employee of Saini
Transways (Private) Limited. The thrust of accusation is against co-
accused D. Pandit, driver of the trailer, with whom the informant's
brother had gone. The alleged occurrence is said to have transpired
on 18.09.2017 and the first information report has been instituted
after inordinate delay of more than ten months on 10.08.2018. The
petitioner claims clean antecedents.

5. Having regard to the entirety of the facts and
circumstances of the case, the provisional anticipatory bail granted to
the petitioner by order dated 14.12.2018 by this Court in connection
with Sabour P.S. Case No. 247 of 2018 pending in the Court of
learned Chief Judicial Magistrate, Bhagalpur shall stand hereby
confirmed, subject to the conditions as laid down under Section 438



(2) 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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