

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67450 of 2018

Arising Out of PS. Case No.-128 Year-2018 Thana- CHAND District- Bhabhua (Kaimur)

Nagina Singh Son of Late Dukhu Singh, Resident of Village- Bharari Khurd,
P.S.- Chand, District- Kaimur at Bhabua.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 01-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Chand P.S. Case No. 128 of 2018.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion as evident from the first information report itself, except which there is no objective material to connect the petitioner with the alleged occurrence. At the highest it has been alleged that there was strained relationship between the informant and the petitioner unlike the allegation made against other accused persons, the informant has not even alleged that the petitioner had issued threats against the informant's son.

4. Learned App appears and opposes the anticipatory bail petition. However, no 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chand P.S. Case No. 128 of 2018, 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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