

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 72254 of 2018**

Arising Out of PS. Case No.-148 Year-2016 Thana- BELHAR District- Banka

=====

Sittu Kumar @ Suttu Kumar, Son of Manjhi Mandal @ Manilal Mandal,
resident of Village- Situhar, P.S. - Haveli Kharagpur, District- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Kamal Kishore Jha

For the Opposite Party/s : Mr Rajendra Singh Shastriji

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **17-04-2019** Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner had earlier moved this Court for grant of
bail in Cr Misc No 12456 of 2018 which was rejected on
05.04.2018.

The period of custody, in the meanwhile, has been just
more than one and half years. Prior to the instant case,
petitioner has got clean antecedent and it is submitted by the
learned counsel for the petitioner that the first information
report (for brevity, *FIR*) has been lodged after a delay as the
victim is said to be missing since 21.04.2016. However, *FIR*
was lodged on 07.05.2016. Referring to the *FIR*, petitioner's
counsel submits that on 21.04.2016 itself, the accused had given



the information regarding the victim's missing. In the circumstance, lodging the FIR is nothing but an act of false implication.

Having considered the aforesaid facts and circumstances, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Banka in Sessions Trial No 191 of 2018 arising out of Belhar Police Station Case No 148 of 2016 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

U			
---	--	--	--

