

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62745 of 2018

Arising Out of PS. Case No.-3 Year-2017 Thana- KONCH District- Gaya

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Randhir Kumar @ Tinku Kumar Son of Late Surendra Prasad Yadav Resident
of Village- Khaira, Police Station-Konch, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 21-02-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 147, 148, 342, 302, 506 IPC and Section 27 of the
Arms Act registered in connection with Konch P.S. Case No. 03 of 2017.

3. It is submitted that the petitioner has been falsely implicated
and there is delay in institution of the FIR on 03.01.2017 for the
alleged occurrence of 02.01.2017. It is improbable that the informant
would have witnessed the alleged occurrence in the night but waited
until morning to lodge the FIR. It is submitted that Laxman Yadav,
husband of the informant, along with Umesh Yadav had allegedly shot
the petitioner's father dead and for which Konch P.S. Case No. 135 of
2013 has been instituted on 05.05.2013 and in which trial is going on.
There is otherwise no eye witness to the alleged occurrence.

4. Learned APP appears and opposes the anticipatory bail
petition.

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 CJM, Gaya in connection with Konch P.S. Case No. 03 of 2017, 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)

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