

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54615 of 2019

Arising Out of PS. Case No.-148 Year-2019 Thana- KAUWAKOL District- Nawada

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VARUN KUMAR DIWAKAR @ VARUN YADAV Son of Late Ambika
Yadav Resident of Village - Mananiatari, P.S. - Kawakol, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner : Mr.Avanish Kumar Singh, Advocate

For the Opposite Party : Mr.Ramchandra Sahni, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-10-2019 Heard learned counsel for the parties and perused the
case diary.

Petitioner is an accused in a case registered for the
offence punishable under sections 363/364 of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case as the FIR is
against unknown and during investigation only material has
come against the petitioner that his mobile phone's tower was
detected near the place of occurrence at the relevant time.
Charge sheet has also been filed in the case, as such, there is no
chance of tempering with the evidence. Petitioner is in custody
in the instant case since 26.2.2019.

Learned counsel for the informant vehemently
opposes the prayer for bail.



In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nawada in Kawakol Police Station Case No. 148 of 2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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