

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79874 of 2018

Arising Out of PS. Case No.-714 Year-2017 Thana- HILSA District- Nalanda

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Bhushan Prasad Son of Nande Yadav Resident of Village- Belawabag, Police
Station- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 04-02-2019

Heard learned counsel for the parties.

Petitioner seeks bail in Hilsa P.S. Case No. 714 of 2017
registered for the offence punishable under Sections 364/34 of
the Indian Penal Code.

Informant has alleged that on 03.11.2017, petitioner
along with other co-accused came at his house and asked his
son, Tarun Kumar to go with them for driving a vehicle. Upon
which, his son went on a motorcycle along with them.
However, thereafter, his son did not return.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case. It has
further been submitted that the date of occurrence is 03.11.2017
while F.I.R. has been lodged on 09.11.2017 which creates
doubt over the prosecution story. Petitioner is in custody since



18.07.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 714 of 2017, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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.

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

(S. Kumar, J)

Sanjay/-

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