

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72436 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- TANKUPPA District-
Gaya

=====

Dhiraj Kumar @ Gullie son of Sri Mundrika Singh, resident of Village-
Chobar, P.S. Tankuppa, District- Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner	:	Mr. R.S. Pradhan, Sr. Advocate. Mr. Amrendra Narayan Rai, Advocate.
For the State	:	Mr. J.K. Singh, APP
For the informant	:	Mr. Shivendra Prasad, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 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, 120(B)/34 of the Indian Penal Code
registered in connection with Tankuppa P.S. Case No. 117 of
2018.

3. It is submitted that the petitioner has been falsely
implicated as the petitioner was also injured in the road accident
in which the deceased died after treatment. In the earlier case
lodged by the informant's brother it was stated that the deceased
had met with an accident leading to his death but subsequently
after about fifteen days the informant has raised suspicion
against the petitioner and others merely on the basis that the
deceased had gone to *Barat* with them.

4. Learned APP assisted by learned counsel for the
informant opposes the anticipatory bail petition. It is submitted
from the case diary that no blood etc. appears to have been found



on the vehicle and only the rear right side door of the vehicle was damaged (Paragraph-22).

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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, Gaya in connection with Tankuppa P.S. Case No. 117 of 2018, 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) 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.

(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)

Ibrar/

U		T	
---	--	---	--

