

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72892 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- GAYA MUFASIL District- Gaya

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Nipul Kumar @ Vipul Kumar @ Bipul Kumar Singh Son of Maleshwar Singh
Resident of Village - Manhari, P.S.- Manchuhanda, Distt - Chatra, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Rana Randhir Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 364 of the Indian Penal Code.

Some unknown miscreants are said to have
kidnapped the mother of the informant and committed rape
against her.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case due to dirty village
politics. The victim in her statement under Section 164 Cr.P.C.
has not named the petitioner as the person involved in the
occurrence. Moreover, the victim and informant in their



statement recorded in course of trial have also not named the petitioner as a person involved in the occurrence. They have also not identified the petitioner. Co-accused, namely, Preetam Kumar Singh @ Pritam Kumar Singh @ Golu has been enlarged on bail by a co-ordinate bench of this court vide order dated 28.06.2019 passed in Cr. Misc. No.24061 of 2019. The petitioner has no criminal antecedent and has been languishing in custody since 03.01.2019.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI, Gaya in connection with Muffasil P.S. Case No03 of 2019, subject to the following conditions:-

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail



cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Prakash Chandra Jaiswal, J)

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