

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 7484 of 2020

Arising Out of PS. Case No.-209 Year-2019 Thana- KALYANPUR District- East Champaran

Digvijay Kumar Son of Rajendra Rai @ Rajendra Ray Resident of Village -
Deopur Parsa, P.S.- Kalyanpur, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail in connection with Kalyanpur P.S. Case No. 209 of 2019 registered for the offence punishable under Sections 392/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and the petitioner has been made accused in the present case without any cogent evidence or material. The name of the petitioner has transpired in the present case on the basis of confessional statement of co-accused Umesh Yadav.

Learned APP has opposed the prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the F.I.R. and his name is said to have transpired in the confessional statement of co-accused Umesh Yadav but till date the investigation against the petitioner has been kept pending over six months as there is no material to support the involvement of the petitioner in the alleged occurrence as also that the petitioner has no criminal antecedent, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Kalyanpur P.S. Case No. 209 of 2019 be released on bail on furnishing of bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Chief Judicial Magistrate, Motihari, East Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required:

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court to any police officer;
(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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