

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11752 of 2020**

Arising Out of PS. Case No.-175 Year-2019 Thana- DARAUNDA District- Siwan

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TUFANI SINGH @ ABHISHEK KUMAR SINGH Son of Late Awadhesh
Singh Resident of Village - Dawan Chapra, P.S.- Daraunda, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana, Adv.

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 18-06-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Daraunda (M.H. Nagar) P.S. Case No. 175 of 2019, registered under section 394 of the Indian Penal Code.

As per allegation in the FIR, while the informant was coming on a motorcycle along with a bag containing Rs. 3,05,000/-, a laptop and a mobile phone, the petitioner and one Yuraj Kumar Singh dashed his motorcycle, as a result of which the informant fell down and sustained injury in his leg. It is stated that the petitioner put a revolver on the temple of the informant and the other co-accused Yuraj Kumar Singh took



away his belongings including the bag containing the amount.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No witness has supported the case of the petitioner nor any incriminating article has been recovered from his possession. It is submitted that the reason for the false implication is that the wife of the petitioner as well as the wife of the informant were both candidates for the post of supervisor in Maharajganj and in the same, the wife of the petitioner Smt. Rani Kumari was appointed. Thereafter the wife of the informant had filed a case bearing case no. 84/2018-19 in the Court of the District Programme Officer (I.C.D.S.) Siwan, wherein a notice, as contained in Annexure-2 to the petition, was issued to the petitioner's wife. Not being able to succeed even in the said case, now the informant has lodged the instant case with false allegation.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the aforesaid facts and circumstances including that no incriminating article has been recovered from the possession of the petitioner, the Court is inclined to enlarge



the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Daraunda (M.H. Nagar) P.S. Case no. 175 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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