

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17813 of 2020**

Arising Out of PS. Case No.-76 Year-2019 Thana- SHAMBHUGANJ District- Banka

Kanhaiya Singh, aged about 25 years (Male), S/o Sitaram Singh, R/o village-
Naroun, P.S.- Sambhuganj, District- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ranjan Kumar Jha, Advocate Mr. Sanjeev Kumar @ Deepak Sahay, Advocate
For the Opposite Party/s	:	Mr.Kumar Ranjit Ranjan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-06-2020 This application has been placed for consideration by

the order of the Hon'ble the Chief Justice through virtual court

proceeding.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Shambhuganj P.S. Case No. 76 of 2019
registered for the offences punishable under Sections 341, 323,
354, 354(c), 354(d), 504, 506/34 of the Indian Penal Code and
Section 8 of POCSO Act.

Learned counsel for the petitioner submits that on a
bare perusal of the First Information Report it will appear that
the thrust of the allegations are against co-accused Deepak
Singh. This petitioner has been falsely implicated in this case.



Learned counsel submits that so far as this petitioner is concerned, there is no specific allegation against him and no overt act has been alleged against this petitioner. Petitioner is in custody since 11.02.2020, investigation against him is complete hence, the petitioner may be released on bail.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner but considering the facts and circumstances of the case, the nature of allegations and there being no specific allegation against the petitioner and further that petitioner has no criminal antecedent and investigation against him is complete, let the petitioner above named be released on bail in connection with Shambhuganj P.S. Case No. 76 of 2019 on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I-cum-Special Judge, Banka, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such 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 or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

(Rajeev Ranjan Prasad, J)

vats/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

