

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81607 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- TARIYANI CHOWK District- Sheohar

Digambar Kumar @ Digu (Male), aged about 18 years, Son of Rai Ganga
Ram Resident of Village- Kubauli, P.S.- NH-28 Bangra, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajay Kumar Thakur, Adv.

Mr. Shashank Kumar, Adv.

Mr. Pravin Kumar, Adv.

For the State : Mr. Shailendra Kumar, APP

For the Informant : Mr. Pankaj Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 13-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Tariyarni
P.S. Case No. 209 of 2018 registered for the offence under
Sections 364/302/201/34/120(B)/365 of the Indian Penal Code.

In the F.I.R., the informant has alleged that in the
morning on 12-12-2018, his son went to Begusarai, but did not
return and on the same day at 11:35 PM, through mobile phone,
he got information that his son was confined by one Monu
Thakur and his associates, since he was in love affair with his
(Monu Thakur) cousin sister. Petitioner is said to be one of the
associates of Monu Thakur.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case. Save and except
suspicion, there is nothing against the petitioner. Petitioner has
no concern with the family of either side. He is simply a co-



villager. Petitioner is also having no criminal antecedent. It is also submitted that some of the co-accused have also been enlarged on anticipatory bail by this Court, vide Annexure 2 (order dated 20-09-2019 in Cr.Misc. No. 37502/2019 in respect of Ankit Thakur) and Annexure 3 respectively.

Learned counsel for the informant as well as learned A.P.P. have vehemently opposed the prayer for bail.

However, considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner 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 C.J.M., Sheohar in connection with Tariyani P.S. Case No. 209 of 2018 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution would be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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