

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.36298 of 2020**

Arising Out of PS. Case No.-369 Year-2019 Thana- DHAKA District- East Champaran

Tinku Singh, Son of Vijay Kumar Singh, Resident of Ward no. 6, Village-
Gahai, P.S.- Dhaka, District- East Champaran, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

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

4 08-07-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Dhaka P.S. Case No. 369 of 2019 registered for the offences punishable under Sections 447, 341, 323, 354, 354B, 308, 436, 504, 506 & 34 of the Indian Penal Code.

He is in custody in connection with the present case since 03.07.2020.

Learned counsel for the petitioner submits that on perusal of the First Information Report itself it would appear



that there is a general and omnibus kind of allegation against the petitioner, his father and his brother. His father Vijay Singh has already been granted bail in this case.

It is submitted that the allegation against the petitioner is that he had also participated in hurling abuses and giving fist blow to the informant and his wife, however, no injury has been found on the body of the informant or his wife.

Learned counsel further submits that the allegation of disrobing the wife that tearing her cloth is also concocted and baseless. It is further submitted that the I.O. has not seized any proof of burning of the hut or food grains and there is no such article.

Mr. Md. Fahimuddin, learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner but after going through the case diary, learned A.P.P. has informed this Court that according to the Doctor no visible injury has been found on the body of the informant, the I.O. has not seized any burnt article on the place of occurrence.

Considering the aforementioned facts and circumstances and the materials placed before this Court showing no visible injury on the body of the informant and no seizure of any burnt article from the alleged place of occurrence



and upon finding that the petitioner has remained in jail for almost one year in connection with this case, investigation against him is complete but the trial is not likely to take place in near future, the petitioner has otherwise no criminal antecedent, this Court is inclined to release the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sikrahana at Dhaka in connection with Dhaka P.S. Case No. 369 of 2019, 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 the court below shall verify the criminal antecedent of the petitioner and in case at any stage



it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

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’.

