

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19783 of 2015

Arising Out of PS.Case No. -193 Year- 2014 Thana -BARAULI District- GOPALGANJ

1. Birendra Choudhary son of Ram Ashish Choudhary Resident of Village-
rupanchap, Police Station- Barauli, District- Gopalganj..... Petitioner
Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Nagendra Prasad (App)

CORAM: HON'BLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 02-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this application, the petitioner apprehends his arrest
for the offences punishable under Sections 448, 379, 411 and 34 of
the IPC.

Allegedly two buffaloes of the informant were stolen
away and for that oral information was given at the police station
and both buffaloes were recovered from possession of the accused
persons but no case was lodged and then the complaint case has
been filed giving rise to this case.

Submission is of false implication and that occurrence
is said to be happened on 22.7.2014 whereas the complaint case
has been filed on 30.9.2014 after much delay without any

explanation which itself goes to show the falsity of the case and as such the petitioner deserves sympathetic consideration to which learned A.P.P. opposes.

In the facts and circumstances stated above, considering inordinate delay in filing the complaint case, the petitioner in case of his surrender or arrest within two months, from the date of receipt/production of a copy of this order shall be enlarged on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Learned C.J.M., Gopalganj in connection with Barauli P.S. Case No. 193/14 subject to the conditions as laid down in Section 438(2) of the Cr.P.C..

(Jitendra Mohan Sharma, J)

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