

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43406 of 2015

Arising Out of PS.Case No. -71 Year- 2015 Thana -ANDER District- SIWAN

- =====
1. Munna Sah S/o Chandrika Sah,
 2. Raju Sah S/o Chandrika Sah
 3. Chhoteylal Sah S/o Baiju Sah
 4. Awadh Kishore Sah S/o Bikarma Kanu

All resident of village- Usari, P.S.- Andar (M.H. Nagar), District- Siwan

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-10-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Andar (M.H. Nagar) P. S. Case No. 71 of 2015 registered under
Sections 323, 406, 436, 120 B/34 of the Indian Penal Code.

It is contended that there is an inordinate delay of seven
days in lodging the case as the alleged date of occurrence is
05.05.2015 but the complaint was filed on 12.05.2015 and there is
no explanation about the delay caused in filing the complaint. It is
further contended that before filing the complaint, which was
referred to the police under Section 156(3) of the Code of

Criminal Procedure for investigation pursuant to which the FIR was instituted, the complainant did not approach the police for institution of the FIR.

Learned counsel for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in Andar (M.H. Nagar) P. S. Case No. 71 of 2015, G. R. No. 2172 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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