

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31684 of 2014

Arising Out of PS.Case No. -55 Year- 2013 Thana -BIHARIGANJ District- MADHEPURA

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Md. Jiyaul Haque @ Md. Jiyaul son of Md. Jamal, resident of village -
Hathioundha, Ward No. 4, Police Station - Bihariganj, District -
Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

9 23-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection
with Bihariganj P.S. Case No.55 of 2013 registered under sections
341, 323, 376, 379 and 504 read with 34 of the Indian Penal Code.

It has been contended that though the alleged
occurrence is said to have taken place on 10.12.2012, the
complaint has been filed after delay of more than five months on
18.4.2013. There is no explanation for the delay caused in filing
the complaint.

It has further been contended that the petitioner is a
next door neighbour of the complainant and due to family feud an

out and out false case has been instituted against the petitioner.

Learned counsel for the State has opposed the prayer for bail. He has submitted that though there is delay in institution of the case, the complaint was referred to the police under section 156(3) of the Code of Criminal Procedure and accordingly the case has been instituted. The investigation of the case is going on.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioner be released 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 Chief Judicial Magistrate, Madhepura in connection with Bihariganj P.S. Case No.55 of 2013 subject to the conditions as laid down under section 438(2) Cr.P.C.

(Ashwani Kumar Singh, J)

Md.S./-

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