

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50630 of 2015**

Arising Out of PS.Case No. -18 Year- 2015 Thana -BAIRIYA District-  
WESTCHAMPARAN(BETTIAH)

=====

Kuldip Chaudhary son of Late Harendra Chaudhary, resident of village -  
Bhitaha, Police Station - Bairiya, District - West Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR  
SINGH**

**ORAL ORDER**

2      06-11-2015                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks pre-arrest bail in connection with  
Trial No. 3665 of 2015 arising out of Bairiya P.S. Case No.18 of  
2015 registered under sections 147, 148, 149, 323, 324, 307, 302  
and 504 of the Indian Penal Code.

It is contended that though the petitioner is named in the  
FIR, in course of investigation the investigating agency found the  
petitioner to be innocent and accordingly, final report was  
submitted as against him while submitting charge-sheet against  
three other accused persons. However, the learned Magistrate  
differing with the police report summoned the petitioner in the

present case.

Learned counsel for the State does not dispute the submission made by the learned counsel for petitioner.

Regard being had to the fact that in course of investigation accusation against the petitioner was found to be false, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioner is directed to 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 Sri J. Kumar, Judicial Magistrate, 1<sup>st</sup> Class, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 18 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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