

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30410 of 2014

Arising Out of PS.Case No. -231 Year- 2008 Thana -JAHANABAD District- JEHANABAD

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1. Smt. Kanti Sharma, Wife of Dr. Ravindra Sharma
2. Amrendra Kumar, Son of Dr. Ravindra Sharma
Both are residents of Professor Colony, Jehanabad, Police Station-
Jehanabad in the district of Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection
with Jehanabad P.S. Case No. 231 of 2008, registered for the
offences punishable under Sections 384, 500, 501, 502, 505/34 of
the Indian Penal Code, seek the privilege of pre-arrest bail.

At the very outset, it has been submitted that Jehanabad
P.S. Case No. 231 of 2008 was registered on the basis of
complaint case filed by the complainant and the police after
completion of investigation, exonerated the accused persons
including the petitioners vide Final Report No. 408/2008 dated
25.11.2008 and thereafter on the basis of protest petition filed on

behalf of the informant, the Chief Judicial Magistrate, Jehanabad directed further investigation. Thereafter, again final report was submitted, showing the offences of non-cognizable only against the petitioner no. 2, Amrendra Kumar but the learned Chief Judicial Magistrate, Jehanabad after differing with the final report took cognizance under Section 384 I.P.C. also, which is apparent from Annexure-2, which is the order sheet of the court of Chief Judicial Magistrate, Jehanabad.

The learned A.P.P. fairly submits that in this case police has submitted final form earlier, which is evident from order sheet dated 16.12.2008.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 231 of 2008, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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