

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48195 of 2014**

Arising Out of PS.Case No. -204 Year- 2010 Thana -BIHTA District- PATNA

Ajay Rai, Son of Indra Deo Rai, resident of Village-Dumari, P.S.-Bihta,  
District-Patna.

.... .... Petitioner/s

Versus

The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. R. B. S. Pahepuri (A.P.P.)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
**ORAL ORDER**

2 23-04-2015

Heard learned counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

The petitioner seeks anticipatory bail in a  
case registered for the offences punishable under  
Sections 341, 323, 324, 326 and 302/34 of the  
Indian Penal Code.

Learned counsel appearing on behalf of the  
petitioner has drawn my attention to the final form,  
submitted by the police under Section 173/174 of  
the Code of Criminal Procedure. He has submitted  
that the police after investigation found the  
allegation against the petitioner to be false and  
submitted chargesheet against co-accused, namely,



Bhim Rai. He has submitted that despite the fact that there was no material collected, in course of investigation, to connect the petitioner with the offence as alleged, learned court below took cognizance of the offence and issued summons to this petitioner also. He has submitted that since the police investigation is already complete, the petitioner will not be required for custodial interrogation and there is no chance of him fleeing from the course of trial.

I find substance in the submission made on behalf of the petitioner that no tangible purpose will be served, if the petitioner is allowed to be taken into custody after completion of investigation during which, the police found the allegation against him to be false.

In view of the submission as above, let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) with two

sureties of the like amount each to the satisfaction  
of learned **Additional Chief Judicial Magistrate,  
Danapur, District-Patna**, in connection with  
**Bihta P.S. Case No. 204 of 2010 (G.R. No. 1740  
of 2010)**, subject to the condition laid down under  
Section 438 (2) of the Code of Criminal Procedure.

**(Chakradhari Sharan Singh, J)**

Praveen-II/-

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