

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44647 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -AJIMABAD District- BHOJPUR

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Bihari Singh @ Brij Bihari Singh, Son of Ram Ekbal Singh, Resident of
Village - Bargaun, P.S. - Ajimabad, District - Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rama Kant Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 14-10-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Ajimabad P.S. Case No. 39/2015 registered under Sections
448, 379 and 436 read with 34 of the Indian Penal Code.

It is contended that initially a complaint case was
filed on 02.06.2015 in respect of an occurrence, which is said to
have taken place on 31.05.2015 in the night at 11:00 p.m., which
was referred to the police for investigation, pursuant to which,
the instant FIR was registered on 02.07.2015. It is further
contended that no occurrence, as alleged, had ever taken place

and the complaint case was filed on account of previous enmity existing between the parties. The wife of the petitioner has also instituted a case against the informant of the case which is registered as Ajimabad P.S. Case No. 40/15 dated 09.07.2015 under Section 354-B of the Indian Penal Code. It has also been submitted that a proceeding under Section 107 of the Code of Criminal Procedure is also going on between the parties.

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

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is 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 Sri Pramod Kumar Pandey, learned Judicial Magistrate-1st Class, Ara, Bhojpur in connection with Ajimabad P.S. Case No. 39 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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