

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54053 of 2015

Arising Out of PS.Case No. -372 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Murari Tiwari @ Murari Kumar son of Late Gajanand Tiwari @ Late Gajjo
Tiwari resident of village- Ghogha Bazar, P.S.- Ghogha (Kahalgaon),
District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. P.K.Pandey , APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 08-12-2015 Heard learned Senior Counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection with
Kahalgaon P. S. Case No. 372 of 2015 registered under Sections
406, 419, 420, 504, 506/34 of the Indian Penal Code.

It is contended by learned Senior Counsel for the
petitioner that from perusal of the FIR, it would be evident that the
main allegation is against co-accused Santosh Dubey and
Vishwajeet Das and not against the petitioner. He has been
implicated in this case, simply because he happens to be the
brother-in-law of said Santosh Dubey.

On the other hand, learned counsel for the informant has

submitted that it would be evident from the FIR that on 9th August 2014, Rs.15 lakh was handed over to Santosh Dubey in presence of the petitioner for which a written note was also given by Santosh Dubey and subsequently, all the accused persons are alleged to have terrorized the informant and his uncle on the point of pistol.

Regard being had to the main allegation in the FIR being confined against co-accused Santosh Dubey and Vishwajeet Das, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above, who is said to be the man of clean antecedent, 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 learned Chief Judicial Magistrate, Bhagalpur in Kahalgaon P. S. Case No. 372 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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