

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46353 of 2014

Arising Out of PS.Case No. -62 Year- 2014 Thana -HATHIDAH District- PATNA

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1. Raj Kumar Sao @ Rajan, Son of Late America Sao
 2. Nagendra Sao alias Naga alias Nagendra So, Son of Raj Kumaro Sao,
Both resident of village - Dariyapur, Police Station - Hathidah, District-
Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Sen Prasad Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 10-04-2015

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

At the outset, it has been contended that the
petitioner no. 1 Raj Kumar Sao alias Rajan has already
surrendered before the Court concerned and, hence, his
application for anticipatory bail has become infructuous.

In that view of the matter, the prayer for anticipatory
bail of petitioner no. 1 Raj Kumar Sao alias Rajan is dismissed
as infructuous.

So far as the petitioner no. 2 Nagendra Sao alias



Naga @ Nagendra So is concerned, it has been contended that he has falsely been implicated in the case. There is no truth behind the allegations made in the FIR. The genealogical table of the petitioners and the informant would suggest that the petitioners are descendent of the same ancestor and due to business rivalry, a false case has been instituted. The further contention is that though the alleged incident of occurrence is said to have been reported to the police on 9.8.2014 but the first information report drawn by the Hathidah Police Station was transmitted to the Court of Magistrate concerned after seven days on 16.08.2014 and there is no reasonable explanation for the delay caused in transmitting the FIR.

Learned counsel for the State has opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the Court below within a period of four weeks from today, the petitioner no. 2, Nagendra Sao alias Naga alias Nagendra So is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Ram Jha, learned Judicial Magistrate 1st Class, Barh, Patna in connection with Hathidah

P.S. Case No. 62 of 2014 subject to the conditions as laid down
under Section 438(2) Cr. P.C.



(Ashwani Kumar Singh, J.)

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