

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19071 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -MALI District- AURANGABAD

Binod Chouhan Son of Ganauri Chouhan Resident of village - Maluka
Bigha, P.S. Mali, District - Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Murlidhar(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-05-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Mali P.S.Case No. 49/2015, disclosing offences under sections
147, 149, 341, 323, 307, 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
police upon completion of investigation submitted final form and
did not choose to send up the petitioner for trial. Learned Chief
Judicial Magistrate, however, differing with the police report has
taken cognizance for the offences alleged in the First Information
Report. He submits that since the investigation is complete, no
purpose would be served, if the petitioner is taken into custody
now. It has further been submitted that there is no likelihood that
the petitioner shall flee from the course of trial.

Considering the submissions, as above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Sandeep Agnihotri, Judicial Magistrate, 1st Class, Aurangabad, in Mali P.S.Case No. 49/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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