

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52521 of 2015

Arising Out of PS.Case No. -176 Year- 2014 Thana -HISUA District- NAWADA

1. Mukesh Chaudhary Son of Sunil Chaudhary, R/o Vill. - Hisua Talab Par,
P.S. - Hisua, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. M.K.Nirala(App)

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

3 30-01-2016 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner seeks bail in connection with
Hisua P.S. Case no. 176 of 2014 registered under sections 366,
376, 313, 120(B) and 420 of the Indian Penal Code.

It is contended that initially a complaint was filed
which was referred under section 156(3) of the Code of Criminal
Procedure, 1973 to the police for investigation pursuant to which
Hisua P.S. Case No. 176 of 2014 was registered under sections
366, 376, 313, 120(B) and 420 of the Indian Penal Code.
However, on completion of investigation the police have
submitted their report under section 173(2) of the Code of
Criminal Procedure, 1973 under sections 419, 420, 494, 495 and

496 of the Indian Penal Code. It is further contended that the offences punishable under sections 494, 495 and 496 of the Indian Penal Code are all non-cognizable and bailable in nature. Other offences like sections 419 and 420 of the Indian Penal Code are not applicable to the facts and circumstances of the case.

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

Be that as it may, regard being had to the nature of allegation as also the police report submitted under section 173(2) of the Code of Criminal Procedure, 1973 as contained in annexure-2 to the present application, petitioner above named 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 the learned Chief Judicial Magistrate, Nawadah in connection with Hisua P.S. Case No. 176 of 2014.

(Ashwani Kumar Singh, J)

Amin/-

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