

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19219 of 2016

Arising Out of PS.Case No. -512 Year- 2011 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Manoj Rai @ Manoj Kumar Rai S/o Ramdeo Rai, Resident of village-
Jitbarpur Nijamat Kanhaiya Chouk, P.s.- Muffasil Samastipur, District-
Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Ganesh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 16-05-2016 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 Samastipur Muffasil P.S.Case No. 512/2011, disclosing
offences under sections 147, 148, 149, 447, 448, 397, 323, 302,
504, 120B of the Indian Penal Code.

First Information Report was lodged in the year 2011. It
is the case of the petitioner that the police upon completion of
investigation did not find any material against the present
petitioner. The police, accordingly, submitted charge sheet against
the other co-accused persons, but not against the petitioner on
30.4.2015. Learned Sub-divisional Judicial Magistrate,
Samastipur, however, differing with the police report, after taking

cognizance has issued summons to the petitioner also, vide order dated 17.2.2016. The petitioner, accordingly, apprehends his arrest.

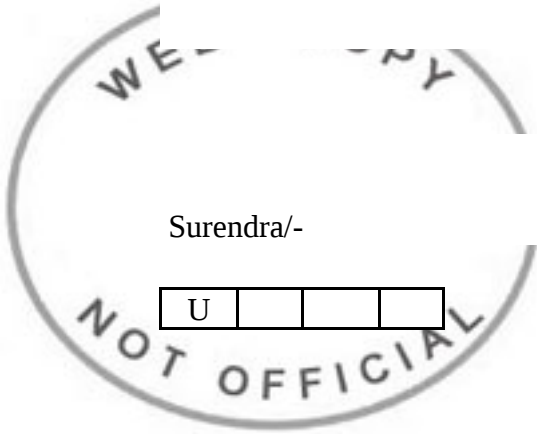
Learned counsel, appearing on behalf of the petitioner, has submitted that since investigation is complete, no tangible purpose would be served if the petitioner is taken into custody. He has further submitted that there is no material to show that the petitioner did not co-operate in course of investigation. It has further been submitted that there is no chance of the petitioner fleeing from the course of justice and he has no criminal antecedent.

Considering the 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 the S.D.J.M., Samastipur in Samastipur Muffasil P.S.Case No. 512/2011, 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)