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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29081 of 2016

Arising Out of PS.Case No. -119 Year- 2015 Thana -SHANKARPUR District- MADHEPURA

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Arun Kumar son of Bhutai Yadav @ Parmeshwari Yadav, resident of village - Rampur Lahi, Ward No. 3, P.S.- Shankarpur, District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 27-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Shankarpur P.S. Case No.119 of 2015 registered under Sections 364, 323 and 354 of the Indian Penal Code.

It is submitted that for an occurrence which took place in July, 2008, the complaint was filed in August, 2015 which was referred to the police under Section 156(3) of the Code of Criminal Procedure for investigation pursuant to which the FIR has been instituted. It is further submitted that the petitioner and the informant are co-villagers and are known to each other and the petitioner had not taken the husband of the informant to Punjab. If the husband of the informant was traceless in the year 2008 then

there is no reason as to why the information was not given to the police earlier. It is also submitted that the ingredients of the offences alleged under Sections 364 and 354 of the Penal Code are not attracted.

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

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioner is directed to 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 learned A.C.J.M.-1, Madhepura in connection with Shankarpur P.S.Case No.119 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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