

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43111 of 2016

Arising Out of PS.Case No. -1999 Year- 2015 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Arjun Bhai Patel Son of Late Belji Bhai Patel resident of Mohalla-Shekhawat Hussain Lane, Khaifabad, P.S.- Kotwali, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prem Kumar S/o Late Govind Prasad resident of Mohalla-, Hussain Lane, Khalifabad, P.S.- Kotwali, Distt- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Sushmita Mishra
For the Opposite Party/s : Sri Arbind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Complaint Case No. 1999 of 2015, disclosing offences under Sections 326,302.34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that police upon completion of investigation did not find any material making out offence under Section 302 of the Indian Penal Code against the petitioner. Learned counsel for the petitioner has submitted that learned Judicial Magistrate accepted the said police report but has subsequently taken cognizance on the basis of a protest-cum-complaint petition filed by the complainant. She has submitted that since investigation is complete, no purpose would be served if the

petitioner is taken into custody.

Considering the above submission, this application is allowed. Let the petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below 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 learned Chief Judicial Magistrate, Bhagalpur in Complaint Case No. 1999/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

ArunKumar/-c

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