

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2176 of 2016

Arising Out of PS.Case No. -335 Year- 2015 Thana -SIKARPUR District- WEST CHAMPARAN
(BETTIAH)

1. Lalita Devi, Wife of Shri Mohan Sah,
2. Anil Kumar @ Bade Lal, Son of Shri Mohan Sah,
Both resident of Mohalla - Shivganj, Ward No. 7, P.S. - Shikarpur, District -
West Champaran, Bettiah.

.... .. Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Sunil Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners seek pre-arrest bail in connection
with Shikarpur P.S. Case No. 335 of 2015 registered under
Sections 341, 323, 353, 509, 506 and 504 read with 34 of the
Indian Penal Code.

It is contended that though the alleged occurrence is
said to have taken place on 27th July, 2015 and the police was
also informed in this regard on the same date, the FIR was sent

to the Court of the Magistrate on 30th July, 2015 and there is no reasonable explanation for the undue delay caused in transmitting the FIR to the court. The further contention is that except Section 353 IPC, all other Sections are bailable in nature and in the FIR there is no specific allegation against the petitioners to have caused any annoyance to any public servant.

Regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are 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, West Champaran, Bettiah in connection with Shikarpur P.S. Case No. 335 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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