

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29066 of 2016

Arising Out of PS.Case No. -131 Year- 2013 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Santosh Kumar Paswan son of Rajendra Paswan
 2. Vijay Mallick @ Vijay Mali son of late Gulab Mallick
Both residents of Mohalla- Chhatauni Bazar, P.S.- Chhatauni, District-
East Champaran.
 3. Bhola Mallick @ Bhola Malik @ Bhola Mali son of Basdeo Mallick,
resident of village- Mathia Motihari, P.S.- Chhatauni, District- East
Champaran.
 4. Sanjay Paswan son of Mahavir Paswan, resident of village- Nandpur,
P.S.- Town Motihari, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s : Sri Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Muffasil P. S. Case No. 131 of 2013 registered under Sections
420, 120-B, 467, 468, 469, 470, 471, 387, 323 and 504/34 of the
Indian Penal Code and Section 27 of the Arms Act.

It is contended that initially, a complaint was filed
which was referred to the police for investigation under Section

156(3) of the Code of Criminal Procedure, pursuant to which an FIR was instituted and the investigation was taken up. However, after completion of investigation, the police submitted final report and the petitioners were not sent up for trial, but differing with the police report learned Magistrate has taken cognizance of the offences.

Learned counsel for the State does not controvert the aforesaid submissions made by learned counsel for the petitioners.

Regard being had to the nature of allegation and the submissions advanced at the Bar, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above 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 learned Chief Judicial Magistrate, East Champaran, at Motihari in Muffasil P. S. Case No. 131 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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