

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2150 of 2016

Arising Out of PS.Case No. -1917 Year- 2015 Thana -SARAN COMPLAINT CASE District- SARAN

- =====
1. Umesh Rai
 2. Pappu Rai @ Pappu Kumar Yadav
Both are son of Manson Rai
 3. Bipin Rai
 4. Triloki Rai
 5. Mahabir Rai

Petitioners No. 3 to 5 are son of late Ghanshyam Rai,
All are resident of Village- Saidpur, P.S.- Dighwara, Distt- Saran at Chapra.

.... Petitioners

Versus

1. The State of Bihar.
2. Anita Devi W/o Shambhu Rai resident of Village- Saidpur, P.S.- Dighwara, Distt- Saran at Chapra.

.... Opposite Parties.

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Anusaiya Jaiswal, 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 Complaint Case No. 1917 of 2015 in which cognizance has been taken under Sections 323, 354 and 379 of the Indian Penal Code.

It is contended that the entire allegation is false and frivolous. Though the alleged occurrence is said to have taken place on 27th June, 2015, the complaint was filed after three days on 30th June, 2015 and no effort was made by the complainant to take steps in terms of Section 154(1) and 154(3) of the Code of Criminal Procedure, 1973 before filing a complaint under Section 200 of the Code of Criminal Procedure.

Be that as it may, regard being had to the nature of the allegation and the delay caused in filing the complaint petition, 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 Sri Divya Shekhar, learned Judicial Magistrate, 1st Class, Saran at Chapra in Complaint Case No. 1917 of 2015/ Tr. No. 1655 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--

