

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14787 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -PAKARIBARAW District-
NAWADA

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1. Ramashish Chauhan, Son of Shri Budhu Chauhan.

2. Chhotelal Chauhan, Son of Late Sanichar Chauhan.

Both resident of village - Barki Marhal, P.S. - Pakribarwan,
District – Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar 1 (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Pakribarawan P.S. Case No.196 of 2015,
disclosing offences under Sections 302/34 of the Indian
Penal Code.

Learned counsel for the petitioners has
submitted that the police, upon completion of



investigation, submitted charge-sheet against co-accused, namely, Budhu Chauhan, only on 31.12.2015, showing these petitioners to be innocent. He has submitted that the learned court below has taken cognizance and issued summonses to these petitioners also, differing with the police report and, therefore, the petitioners apprehend their arrest.

Considering the fact that investigation is complete and the police have submitted their report, under Section 173 of the Code of Criminal Procedure, no purpose would be served, if the petitioners are taken into custody now, particularly in view of the fact that there is no allegation against them that they ever attempted to flee from the course of investigation or influence the investigation.

Considering the submission, as above, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, Ist Class, Nawada**, in connection with **Pakribarawan P.S. Case No.196 of 2015**, subject to the condition laid down under

Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners, abovenamed, shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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