

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13862 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -SARAI District- VAISHALI(HAJIPUR)

1. Amar Patel
2. Gautam Patel
3. Ranjeet Patel
4. Chandan Patel

All sons of Bhola Patel, resident of Village- Jagodih, P.S. Sarai, District Vaishali.

5. Subodh Kumar @ Subodh Patel Son of Asharfi Patel, resident of Village- Dalyalpur, P.S. Sadar (Hajipur) District Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh , APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Sarai P. S. Case No. 17 of 2016 registered under Sections 341, 323, 324, 354, 379, 504 and 506/34 of the Indian Penal Code.

It is contended that from perusal of the FIR it would be evident that though the alleged date of occurrence was 31.12.2015, the *fardbeyan* was recorded on 07.01.2016 and

there is no plausible explanation for the delay caused in instituting the FIR. It is further contended that the petitioners are agnates of the informant and have got no criminal antecedent. They have got roots in the society and are not likely to abscond or tamper with the evident, if released on bail.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners.

Regard being had to the facts and circumstances of the case, 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, Vaishali in Sarai P. S. Case No. 17 of 2016, 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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