

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1369 of 2016

Arising Out of PS.Case No. -2892 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

Basudeo Bhagat @ Basdeo Singh @ Basdeo Bhagat son of Late Hari Charan Bhagat, resident of village - Barharwa, Police Station - Turkauliya, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Paras Lal Singh son of Mahadeo Singh resident of village - Barharwa, Police Station - Turkauliya, District - East Champaran.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. P.N.Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

4 11-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

Despite valid service of notice, neither the complainant has appeared in person nor he is being represented through his lawyer.

The petitioner seeks pre-arrest bail in connection with Complaint Case No. 2892 of 2012 in which cognizance has been taken under Sections 406, 420, 323 and 504 of the Indian Penal Code.

It is contended by the learned counsel for the

petitioner that even if the entire allegation made in the prosecution case is taken to be true, no offence punishable under Sections 406 and 420 of the Indian Penal Code is made out. He has further contended that other two offences of the Indian Penal Code are bailable in nature.

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

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is 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 Tr. No. 4527 of 2014 arising out of Complaint Case No. 2892 of 2012, 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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