

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42529 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -TARIYANI CHOWK District-
SHEOHAR

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1. Awadhesh Rai @ Awdhesh Rai, S/o Late Shree Rai.
2. Ramesh Rai, S/o Late Shree Rai.
3. Raja Rai, S/o Late Shree Rai.
4. Phoolpari Devi, W/o Late Shree Rai.

All R/o Village- Rupauli, P.S.- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 17-10-2016

Heard the parties.

This application, for grant of anticipatory bail, arises out of Tariyani P.S. Case No. 179 of 2015, disclosing offences under Sections 323, 324, 341, 379, 307 and 504/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the petitioners, has submitted that on completion of



investigation the police did not find any substance in allegation, making out offence under Section 307 or Section 379 of the Indian Penal Code, and submitted charge-sheet under Sections 341, 323, 354 and 504/34 of the Indian Penal Code. It has been submitted that learned Additional Chief Judicial Magistrate, Sheohar, has, however, taken cognizance of the offences punishable under Sections 341, 323, 354 and 504/34 including Section 307 of the Indian Penal Code, differing with the police report.

Learned counsel, appearing on behalf of the petitioners, has submitted that since the investigation is complete, no purpose would be served if the petitioners are taken into custody in connection with Tariyani P.S. Case No. 179 of 2015.

Considering the submission, as above, this application is allowed. Let the petitioners, above named, 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 Additional Chief Judicial Magistrate, Sheohar,** in connection with **Tariyani P.S. Case No. 179 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 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/-c

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