

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22177 of 2016

Arising Out of PS.Case No. -72 Year- 2008 Thana -DAUDPUR District- SARAN

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1. Amit Singh S/o Bijay Singh
2. Bijay Singh @ Bijay Kumar Singh S/o Late Kapil Singh Both residents
of Village - Kohra, P.S. - Daudpur, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Mukesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 12-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Daudpur P.S. Case No. 72 of 2008, disclosing offences under Section 302/34 of the Indian Penal Code.

It appears from the case diary that the police after completion of investigation have submitted their report showing the case to be a mistake of fact. Learned Chief Judicial Magistrate is said to have accepted the police report. However, by virtue of subsequent order passed by the learned Sessions Judge, cognizance has been taken in this matter. The petitioners, therefore, apprehend their arrest.

Since the accusation of the petitioners has been found to

mistake of fact by the police, this application is allowed. Let petitioners above-named in the event of their arrest/surrender within four weeks from today in the court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in Daudpur P.S. Case No. 72 of 2008, subject to the conditions as 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)

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