

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1574 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -MANJHI District- SARAN

=====

1. Raju @ Raj Kumar Singh @ Raj Kumar son of Ram Bila
2. Vinay Singh @ Vinay @ Vinay Kumar Singh son of Ram Shankar
Both R/o village- Bahoran Singh Ke Tola, P.s.- Manjhi, District- Saran
..... Petitioners

Versus

State of Bihar & Anr Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Anant Kumar Bhaskar

For the Opposite Party/s : Mr. Smt. Sahin Begam

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with Manjhi P.S. Case No. 62 of 2016 registered for the offences punishable under Sections 341, 323, 354, 504, 509/34 of the Indian Penal Code.

The first information report is registered under Section 354 IPC also but during investigation the allegation under Section 354 IPC has not been found true and chargesheet was submitted only under Sections 341, 323, 504, 509/34 of the Indian Penal Code but the learned Magistrate after differing with the opinion of the Investigating Officer, took cognizance under Section 354 IPC also, resulting the petitioners are apprehending their arrest or custody after their surrender.



Learned APP fairly submits that chargesheet was not submitted under Section 354 IPC vide annexure-2 but cognizance has been taken under Section 354 IPC also vide annexure-3.

In the facts and circumstances stated above, considering that the allegation under Section 354 IPC has not been substantiated during investigation and chargesheet has not been submitted under Section 354 IPC, the petitioners above named, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V, Saran at Chapra in connection with Manjhi P.S. Case No. 62 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

