

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37654 of 2017

Arising Out of PS. Case No.-425 Year-2011 Thana- COMPLAINT CASE District- Jamui

Bhushan Thakur Son of Late Basudeo Thakur, R/o Village- Jinhare, P.S.-
Luxmipur, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Subhash Mandal, Son of Shaligram Mandal, R/o Village- Jinhara, P.S.-
Luxmipur, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 17-10-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of
Complaint Case No. 425C of 2011, disclosing offences under
Sections 147, 149, 323, 307 and 504 of the Indian Penal Code.

A complaint is the basis for taking of cognizance

It is submitted on behalf of the petitioner that for an
occurrence, which has taken place on 31.03.2011, the complaint
case has been filed more than two weeks thereafter with no
plausible explanation. He has further submitted that though the
complaint case was filed in the year 2011, the complainant has
been examined on S. A. in the year 2013. he has further



submitted that since there is no investigation going on, no purpose will be served if the petitioner is taken into custody since he is ready to present himself before the Court below as and when required.

Considering the above submissions, this application is allowed.

Let the petitioner, Bhushan Thakur, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate II, Jamui, in connection with Complaint Case No. 425C of 2011, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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