

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47340 of 2017

Arising Out of PS.Case No. -84 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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Shivam Kumar S/o- Sri Chandeshwar Kumar Singh, resident of Village-
Jakhara, P.S.- Chakwa, District- Darbhanga at Present Muhalla- Ram
Prakash Chowk, Hajipur, P.S. Industrial Area.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Pratap Singh

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending arrest in connection with
Industrial Area P.S. Case No. 84 of 2017 for an offence under
sections 342, 323, 307 and 34 of the Indian Penal Code.

The allegation against the petitioner is that he was
the aid to the commission of crime. There is no specific allegation
that the petitioner has assaulted the alleged victim who sustained
injury in the case.

Mr. Harsh Singh has drawn my attention to the
inordinate delay in lodging of the Fard-beyan and drawing of
formal FIR. The incident took place allegedly on 1.3.2017 and
there is no explanation why the Fard-beyan was lodged on



12.4.2017. He submits that formal FIR was drawn only on 14.5.2017 and therefore, he submits that it is instituted as an after thought.

Considering the fact the fact that there is inordinate delay in lodging the FIR and there is no specific overt act alleged against this petitioner, let the petitioners named above, be released on bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Industrial Area P.S. Case No. 84 of 2017, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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