

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54998 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -SAHIYARA District- SITAMARHI

=====

Pahari Mahto, Son of late Laxmi Mahto, Resident of Village- Maudah, P.S.-
Sahiyara, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sahiyara P.S. Case No. 107 of 2017 registered under
Sections 323, 379, 376 and 511 of the Indian Penal Code.

Regard being had to the fact that there is inordinate
and unexplained delay of more than a month in institution of a
complaint, which was referred to the police for investigation in
exercise of powers conferred under Section 156(3) of the Cr.
P.C. without taking into consideration the law laid down in
Priyanka Srivastava & Anr. Vs. State of Uttar Pradesh &



Ors. [(2015) 6 SCC 287], in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned I/c Chief Judicial Magistrate, Sitamarhi in connection with Sahiyara P.S. Case No. 107 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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

