

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61113 of 2017

Arising Out of PS.Case No. -105 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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1. Rajesh Kumar S/o late Krishnadeo Singh Resident of village- Barahiya,
P.S. Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Barahiya P.S.Case No. 105 of 2015 registered under Section
302/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that though the petitioner was named in the First
Information Report, on completion of investigation, the police
found him innocent and he was not sent up for trial. He submitted
that even the charge-sheeted accused persons, namely, Binod
Singh, Sunil Singh, Raushan Singh and Chunnu Singh have
already been granted pre-arrest bail, vide order dated 10.11.2015
passed in Cr.Misc. Nos. 44440 of 2015 and 44476 of 2015
respectively.



Learned counsel for the State opposed the application for grant of bail to the petitioner. However, he concedes that the petitioner was not sent up for trial and differing with the police report the learned Magistrate took cognizance of the offence against the petitioner.

Having regard to the facts and circumstances of the case and the submissions advanced before the Court, in the event of arrest or surrender before the court below within four 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 Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S.Case No. 105 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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