

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46222 of 2017

Arising Out of PS.Case No. -461 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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Amar Singh Yadav, Son of Moti Singh, R/o Village- Bahadag, P.S.-
Adhoura, District- Kaimur at Bhabua.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Bhabua P.S. Case No. 461 of 2017 registered under
Sections 419 and 420 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that even if the entire prosecution case is taken to be
true, at best, it is a case of Section 419 of the Indian Penal Code
which is bailable in nature and not under Section 420 of the
Indian Penal Code.



On the other hand, learned counsel for the State submitted that the ingredient of the offence punishable under Sections 420 of the Indian Penal Code is also attracted in the present case.

Be that as it may, considering the nature of allegation, 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 461 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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