

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46200 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -LAUKHI District- MADHUBANI

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Shyam Sundar Rai, Son of Late Mahendra Rai, R/o Village- Bhaptiyahi,
P.S.- Laukhi, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, 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
Laukahi P.S. Case No.68 of 2016 registered under Sections 341,
323, 448, 324, 307, 354, 379 and 504 read with 34 of the Indian
Penal Code.

It is submitted by the learned counsel for the
petitioner that for an occurrence, which is alleged to have taken
place on 01.05.2016, co-accused Manohar Rai had instituted FIR
against the members of the prosecution party including the
informant of the case on 04.05.2016 vide Laukahi P.S. Case No.63
of 2016 registered under Sections 341, 323, 324, 307, 337, 447
and 504 read with 34 of the Indian Penal Code. Subsequently, on



the basis of statement made by the informant Shyam Kumari Devi, the instant case was registered on 19.05.2016 for the occurrence of 01.05.2016. He contended that the entire allegations made in the FIR are concocted and fabricated by the members of the prosecution party just in order to save their skin from the aforesaid Laukahi P.S. Case No.63 of 2016.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Considering the inordinate delay in institution of the first information report as well as the fact that for the occurrence of 01/05/2016, co-accused Manohar Rai had already instituted a case against informant and others on 04.05.2016, in the event of arrest or surrender in the court below within a period of 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 Judicial Magistrate-1st Class, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No.68 of 2016 subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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