

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46053 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA
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1. Abhishek Kumar Singh @ Abhishekh Singh Son of Vidya Shankar Singh, resident of Sambey Bolla, Rajendra Nagar, Road No. 6, Opp. Rajendra Nagar Hospital, P.S.- Kadam Kuan, Town and District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Kumar Singh S/o Virendra Singh resident of Village- Kazipur Road No.- 3, P.S. Kadam Kuwa, District- Patna.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Shyam Bihari Singh
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara
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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-10-2017 Heard learned counsel for the petitioner and learned counsel for the State.

In a complaint case in which cognizance has been taken under Sections 406, 323 and 504 of the Indian Penal Code, the petitioner seeks pre-arrest bail.

It is contended by the learned counsel for the petitioner that the allegations made in the complaint are erroneous. Sections 323 and 504 of the Indian Penal Code are bailable and, so far as Section 406 of the Indian Penal Code is concerned, the ingredients of the same are missing.

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



Considering the nature of offence, 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 Judicial Magistrate, Patna in connection with Complaint Case No. 37(C) of 2016, 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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