

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60820 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Vinod Malik, S/o Late Yadunandan Malik,
2. Girja Devi W/o Vinod Malik,
3. Sikandar Malik S/o Vinod Malik, All R/o Village- Raghunathpur Bazar,
P.S.- Sugauli, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Sugauli P.S.Case No. 62 of 2017 registered under Sections
341, 323, 352, 354, 324, 342, 307, 506 and 380/34 of the Indian
Penal Code.

It is submitted by the learned counsel for the
petitioners that for the alleged occurrence, which took place on
22.11.2016, a complaint was filed after three days on 25.11.2016
in the court, which was referred to the police for investigation
under Section 156(3) of the Code of Criminal Procedure in
violation to the ratio laid down by the Supreme Court in the case
of *Priyanka Srivastava and another Vs. State of Uttar Pradesh*



and Ors. [(2015) 6 SCC 287]. It is further contended that there is no truth behind the allegations made in the complaint and on identical allegations co-accused Chhotelal Dom @ Chhotelal Malik, Ajay Malli @ Ajay Malik, Meena Devi and Sanjay Malli @ Sanjay Malik have already been granted pre-arrest bail by a Bench of this Court, vide order dated 02.11.2017, passed in Cr.Misc. No. 51775 of 2017.

Learned counsel for the State does not dispute the aforesaid contentions advanced on behalf of the petitioners.

Regard being had to the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S.Case No. 62 of 2017, 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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