

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31639 of 2017

Arising Out of PS.Case No. -258 Year- 2015 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Umesh Nonia @ Umesh Chaudhary, son of Gupteshwar Chaudhary,
resident of Village- Janakpur, P.S.- Dawath, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Raju Turha, son of Late Ram Ekbal Turha, resident of Village-
Parmanpur, P.S.- Nawanagar, District- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay
For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 10-10-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 258(C) of 2015, disclosing offences
under Sections 406, 323 and 504 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the complaint case has been
lodged after lapse of one year from the date of occurrence
without explaining the plausible delay, which creates doubt over
the prosecution version. There is no outstanding to be paid by
the petitioner to the informant. Hence, the petitioner deserves the



privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Buxar in connection with Complaint Case No. 258(C) of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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