

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41723 of 2017

Arising Out of PS.Case No. -43 Year- 2015 Thana -BAHERA District- DARBHANGA

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Niraj Yadav S/o Gajendra Yadav, R/o Katawasa, P.S.- Bahera, District-
Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the State : Mr. Asharaf Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Bahera P.S. Case No.43 of 2015 registered under Sections 147,
148, 149, 341, 323, 324, 188, 504, 506, 386, 308 and 379 of the
Indian Penal Code (for short 'the IPC').

It is submitted by the learned counsel for the petitioner
that though the first information report was registered inter alia
under Section 307 of the IPC, the police on completion of
investigation did not find allegation made under Section 307 of the
IPC to be true and submitted charge-sheet only for the offences
under Sections 147, 341, 323, 506, 308, 379 and 188 of the IPC,
but differing with the police report the jurisdictional Magistrate



took cognizance of the offence under Section 308 of the IPC also.

Learned counsel for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, the petitioner named above is directed to 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 A.C.J.M., Benipur at Biraul, District- Darbhanga in connection with Bahera P.S. Case No.43 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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