

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48235 of 2017

Arising Out of PS.Case No. -2079 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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Maheshwar Singh, son of Lakhraj Singh, resident of Village- Semri, P.S.
Mashrakh, District Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Lalti Devi, wife of Jitendra Rai, resident of Village- Madarpur, P.S.
Mashrakh, District- Saran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vindhya Keshri Kumar, Sr. Advocate
Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-10-2017 Heard learned senior counsel for the petitioner and

learned counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mashrakh P.S. Case No. 15 of 2012 registered under
Sections 448, 353, 302, 120-B of the Indian Penal Code and
Section 27 of the Arms Act.

It is submitted by Mr. Vindhya Keshri Kumar,
learned Senior Advocate appearing for the petitioner that



initially a complaint was instituted by the complainant, which was referred to the police under Section 156 (3) of the Cr.P.C. pursuant to which FIR was instituted and on completion of investigation, the police found the case to be false whereafter, a separate complaint was registered on the basis of protest made by the complainant and the police report submitted on completion of investigation was accepted. It is further submitted that co-accused Upendra Singh having identical allegation to that of the petitioner has already been granted pre-arrest bail by a reasoned and speaking order passed on 19.08.2017 in Cr. Misc. No.29363 of 2017 by a co-ordinate Bench of this Court.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner. However, he admitted that co-accused Upendra Singh @ Upendra Kumar Singh has already been granted bail in the present case.

Having regard to the submissions made above and the reasonings assigned in the order dated 19.08.2017, in the event of arrest or surrender in the court below within 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 Additional Chief Judicial Magistrate-8th, Saran at Chapra in connection with Mashrakh P.S. Case No. 15 of 2012 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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