

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60309 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -PARWATTA District- KHAGARIA

- =====
1. Ram Balak Singh son of late Pradeep Singh (Mukhiya, Gram Panchayat Raj Govindpur, Kanhaiyachak).
 2. Rupesh Kumar Son of Sri Kant Choudhary (Agent, Panchayat Raj, Govindpur, Kanhaiyachak).
- Both are resident of village- Kanhaiyachak, Police Station- Parbatta, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

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

The petitioners seek pre-arrest bail in connection with Parbatta P. S. Case No. 77 of 2017 registered under Sections 467, 468, 420 and 120-B of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that the institution of the FIR on the basis of a complaint, which was referred to the police under Section 156(3) of the Code of Criminal Procedure is itself against the ratio laid down by the Supreme Court in the case of **Priyanka Srivastava**



and Anr. vs. State of Uttar Pradesh [(2015) 6 SCC 287]. It is further submitted that similarly circumstances co-accused Md. Kasim has already been granted pre-arrest bail by a Bench of this Court vide order dated 11.08.2017 passed in Cr. Misc. No. 34870 of 2017, as contained in Annexure 3 to the present application.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case and the submissions made above, the petitioners named above are 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 learned ACJM-1st, Khagaria in Parbatta P. S. Case No. 77 of 2017, 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.)

Kanchan/-

U		T	
---	--	---	--

