

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28788 of 2017

Arising Out of PS.Case No. -91 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI

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ASHOK KUMAR RAUT @ ASHOK RAUT S/o Late Pulkit Raut
Proprietor of M/S Modern Viahnavi Auto Mobiles, At Gandhi Chowk
(presently at Mangrauni, near Gumti No. 13, Anchal Raj Nagar, P.O.
Mangrauni) P.S. - Town (Presently P.S. - Raj Nagar), District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwajeet Kumar

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Madhubani Nagar Police Station Case No. 91 of 2016,
disclosing offences under Sections 323, 386, 406, 120(B),
504/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
there is general and omnibus allegation against this petitioner
and no specific overt act is attributed to him. In fact, the
complaint has been filed after seven years of occurrence without
explaining the delay, therefore, credibility of the same cannot be
accepted. The petitioner being the seller of the alleged tractor



has no concern with any mortgaged property. No specific case is made out against the petitioner. 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 Chief Judicial Magistrate, Madhubani, in connection with Madhubani Nagar Police Station Case No. 91 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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