

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35494 of 2018

Arising Out of PS.Case No. -92 Year- 2017 Thana -MAHESHKHUNT District- KHAGARIA

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Amit Kumar, Son of Krishandev Sharma @ Bisho Sharma, resident of
Village- English Banni, P.S.- Maheshkhut, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 28-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Maheshkhut P.S. Case No.92 of 2017 registered under
Sections 379 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the petitioner and the informant are resident of the
same village and owing to previous enmity, a false and
fabricated case has been instituted. He submitted that though the
occurrence of offence is said to have taken place on 17th July,
2017, the first information report was instituted after three days



on 20th July, 2017 and no reasonable explanation has been given in the first information report for the inordinate delay caused in institution of the first information report.

Learned counsel appearing for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation and the submissions advanced above, 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 A.C.J.M., Khagaria in connection with Maheshkhut P.S. Case No. 92 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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