

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1418 of 2018

Arising Out of PS.Case No. -287 Year- 2017 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Sunil Chauhan @ Sunil Choudhary son of Rajdeo Chauhan, resident of
village - Utra, P.S.- Chandi, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Chandi P.S. Case No.287 of 2017 registered under Sections 341,
323, 307, 379 and 504/34 of the Indian Penal Code.

Regard being had to the unexplained inordinate delay of
four days in institution of the complaint which was referred to the
police under Section 156 (3) of the Code of Criminal Procedure
for investigation pursuant to which an FIR was instituted on
5.09.2017 in respect of an occurrence which had taken place on
28.08.2017 as also the submissions made by the learned counsel
for the petitioner that the institution of the FIR is in complete



breach of the law laid down by the Supreme Court in *Priyanka Srivastava and Anr. vs. State of Uttar Pradesh & Ors. [(2015)6 SCC 287]*, in the event of arrest or surrender before 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Hilsa, Nalanda in connection with Chandi P.S. Case No.287 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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