

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18481 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

Sanjay Rai @ Sanjay Kumar Rai S/o Nasib Lal Ray, R/o Village- Kanhauli
Bisunpars, P.S.- Mahua, District- Vaishali.

.... Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Mahua P.S. Case No. 189 of 2017 registered under Sections
366, 380 and 372 read with 34 of the Indian Penal Code.

It is submitted that for an occurrence of offence
which is said to have taken place on 18.04.2017 a complaint was
filed on 02.06.2017, which was referred to the police for
investigation pursuant to which an FIR was instituted on
25.07.2017. It is further submitted that no plausible explanation
has been given by the complainant for the delay caused in



institution of the FIR.

On the other hand, learned counsel for the State submitted that the complainant has clearly stated in her complaint that though a written report was submitted before the S.H.O. of Mahua Police Station on 19.04.2017, no action was taken by him on the report.

Be that as it may, considering the long delay caused in institution of the complaint, as also the fact that the victim has already been recovered, in the event of arrest or surrender in the court below within six weeks from today, the petitioner, who is said to be a man of clean antecedent, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 189 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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