

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61144 of 2017

Arising Out of PS.Case No. -219 Year- 2017 Thana -DULHIN BAZAR District- PATNA

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Santosh Kumar son of Late Anil Yadav, resident of village- Rakasiya, P.S.-
Dulhin Bazar, District- Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Choudhary, Advocate

For the State : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Dulhin Bazar P.S. Case No.219 of 2017 registered under Sections
341, 323, 325 and 353 read with Section 34 of the Indian Penal
Code (for short 'the I.P.C.').

It is submitted by the learned counsel for the petitioner
that Rekha Devi wife of the petitioner is Prakhand Pramukh of
Dulhin Bazar Block. She received complaint against the informant
that he being a public servant indulged in some illegal activities.
She intervened into the matter whereafter the informant became
furious and misbehaved and assaulted her for which Rekha Devi
lodged Dulhin Bazar P.S.Case No.220 of 2017 under Sections
341, 323, 354 and 504 read with Section 34 of the I.P.C. It is
submitted that on account of the said incident a false case has been



instituted against the petitioner. It is submitted that the petitioner has no criminal antecedent and he is a Group 'D' employee of the Indian Railways. It is submitted that after institution of the present case the informant himself has been apprehended in Vigilance Case No.112 of 2017 dated 08.12.2017 instituted under Sections 7, 13(2) and 13(1) of the Prevention of Corruption Act.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Having regard to the facts and circumstances of the case and the submissions made 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Danapur, Patna in connection with Dulhin Bazar P.S. Case No.219 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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