IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40459 of 2018

Arising Out of PS.Case No. -141 Year- 2018 Thana -ISLAMPUR District- NALANDA (BIHARSHARIFF)

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1. Guddu Kumar, S/o Nanak Singh, Resident of Village- Gopalganj, P.S.- Islampur, District- Nalanda.
2. Rahit Paswan @ Rohit Kumar, S/o Niraj Paswan, Resident of Village- Bela Bira, P.S.- Bishunagnj, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajeev Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2018 Heard learned counsel for the petitioners and learned A.P.P.

The petitioners seek anticipatory bail in connection with Islampur P.S. Case No. 141 of 2018, registered for offences punishable under Sections 341, 323, 504 and 354(B)/34 of the Indian Penal Code.

Allegation against the petitioner No. 1 is of committing misbehave with the informant and on protest made by the informant, the petitioner No.2, driver of the pick-up van of petitioner No. 1, is also assaulted her and after that, they fled away.

Submission of the learned counsel for the petitioners is that they have been falsely implicated in this case and no such occurrence has taken place.

Learned A.P.P. opposes the prayer for bail.

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In view of allegation against the petitioners, above named, I am not inclined to grant bail to the petitioner No. 1. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner No.1, that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

So far the case of the petitioner No.2 above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Islampur P.S.Case No. 141 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate – III, Hilsa, Nalanda, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

With this observation, this application is disposed of.

(Vinod Kumar Sinha, J)

Sudha/Priyanka/-

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