

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.731 of 2018

Arising Out of PS.Case No. -85 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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Subodh Kumar Singh S/o Chaturbhuj Singh, R/o Vill.- Bisunpura, P.O.-
Bakhara, P.S.- Saraiya, Distt.- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : Smt. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Saraiya P.S. Case No. 85 of 2016 registered under Sections
341, 323, 376, 511 and 448 of the Indian Penal Code.

Referring to the order dated 23.06.2016 passed by
the learned 8th Additional Sessions Judge, Muzaffarpur, learned
counsel for the petitioner submitted that the Police Inspector did
not find the allegation true under Section 376/511 of the Indian
Penal Code in course of investigation. He submitted that the
other offences are bailable in nature and the petitioner has been



implicated in this case, as he happens to be agnate of the informant's husband and there is dispute with regard to the share of the house.

On the other hand, learned counsel for the State submitted that the case is still under investigation and on the basis of opinion of the Police Inspector only, it cannot be said that the allegation under Section 376/511 of the IPC are not attracted.

Be that as it may, regard being had 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/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-1st-cum-A.C.J.M. (West) Muzaffarpur in connection with Saraiya P.S. Case No. 85 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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