

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49594 of 2018

Arising Out of PS. Case No.-1512 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Uma Shankar Rai, S/o Ram Lagan Ray, R/o Vill.- Bhupbhairo, P.S.- Sitamarhi, District- Sitamarhi.
 2. Pankaj Kumar @ Chhotu S/o Nagendra Rai, R/o Vill.- Bhupbhairo, P.S.- Sitamarhi, District- Sitamarhi (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anita Devi W/o Ram Lal Rai, R/o Vill.- Bhupbhairo, Ward No. 8, P.S. + District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners and learned counsel appearing for the State.

Petitioners are apprehending their arrest in connection with Complaint Case /CI -1512/2017 for the offence under Section 354 of the Indian Penal Code pending in the court of Additional Chief Judicial Magistrate IV, Sitamarhi.

Learned counsel for the petitioners submits that similarly circumstanced other co-accused person has been granted anticipatory bail in Cr. Misc. No. 57903 of 2018 vide



order dated 20.09.2018. The Court on consideration of the delay in filing of the complaint directed release of the petitioner on provisional bail in the event of arrest or surrender before the court below within 12 weeks from the date of the order on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the court concerned. The Court also directed that provisional bail would be confirmed by the court below after getting a report from the concerned police station about the behaviour and conduct of the petitioner in last six months.

On the ground of parity, this application is also allowed. In the event of arrest or surrender before the court below within a period of 12 weeks from today, the petitioners above named are directed to be released on provisional bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate IV, Sitamarhi in connection with Complaint Case No. 1512/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Let the provisional bail of the petitioners be confirmed by the court below after getting a report from the



concerned police station about the behaviour and conduct of the
petitioners in last six months.

(Anil Kumar Upadhyay, J)

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