

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57451 of 2018

Arising Out of PS.Case No. -185 Year- 2018 Thana -BHELDI District- SARAN

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Firoz Ali, Son of Aaua! Miya, Resident of Village-Shobhepur, P.S. Bheldi,
District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Bheldi P.S. Case No. 185 of 2018 registered under Sections
147, 341, 323, 448 and 354 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that there is case and counter case. From perusal of the
present first information report and the first information report
of counter case, it would be evident that the informant party had
assaulted the petitioner's wife, mother and other family
members about an hour before the time of the alleged



occurrence. It is further contended that though the offence is alleged to have took place on 05.06.2018 and fardbeyan was also recorded on the same day, there is no reason as to why the first information report could have been instituted after five day on 10.06.2018.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. He submitted that though there is counter case, the allegations made against the petitioner are serious in nature.

Keeping in mind the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate-XII, Saran at Chapra in connection with Bheldi P.S. Case No. 185 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C

(Ashwani Kumar Singh, J.)

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