

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.750 of 2018

Arising Out of PS.Case No. -54 Year- 2011 Thana -KALUAHI District- MADHUBANI

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Guddu Kamat S/o Harinandan Kamat, R/o Village- Dhanga, P.S.- Arer,
District- Madhubani.

.... Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, 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 Kaluahi P.S. Case No. 54 of 2011 registered under Sections
384 and 385 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the falsity of the case would be evident from the
fact that though the first information report was instituted on
06.06.2011, the case is still pending investigation. He submitted
that in the last seven years, the police could not collect sufficient
materials against the petitioner to send him up for trial. He



submitted that the petitioner was not aware about this case from before and only recently he came to know about the case when the police raided his house in order to arrest him.

On the other hand, learned counsel for the State submitted that there is allegation against the petitioner that he demanded *rangdari* from the informant. He, however, admitted that though the case was instituted on 06.06.2011, the learned Sessions Judge in his order whereby he has rejected the anticipatory bail petition of the petitioner has recorded that the case is still under investigation.

Considering the submissions made on behalf of the parties, 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 Chief Judicial Magistrate, Madhubani in connection with Kaluahi P.S. Case No. 54 of 2011 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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