

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35660 of 2018

Arising Out of PS.Case No. -52 Year- 2018 Thana -NASRIGANJ District- SASARAM (ROHTAS)

Shiv Bihari Singh @ Bhawsagar, Son of Jawahar Singh, Resident of
Village- Mahdeva, P.S.- Nasriganj, District- Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Nasriganj P.S. Case No. 52 of 2018 registered under
Sections 341, 323, 504, 506 and 354 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that save and except section 354 of the Indian Penal
Code, all other sections are bailable in nature. It is further
submitted that the observations made by the learned Sessions
Judge while rejecting the application for grant of pre-arrest bail
to the petitioner clearly suggest that in course of investigation no
material could be brought to support the ingredients under
section 354 of the Indian Penal Code.



Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Having seen the order dated 11.05.2018 passed by the learned Sessions Judge-7th, Rohtas at Sasaram in ABP No.728 of 2018, I find substance in the submission made by the learned counsel for the petitioner that the court below has observed after looking into the case diary that no material has been brought to support the allegation made under Section 354 of the Indian Penal Code.

In that view of the matter, 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 Judicial Magistrate-1st Class, Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 52 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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