

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5522 of 2018

Arising Out of PS.Case No. -206 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

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Prahlad Singh @ Prahlad Kumar, Son of Lal Babu Singh, resident of
Village- Jaitpur, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection
with Barahiya P. S. Case No.206 of 2015 registered under
Sections 302/34 of the Indian Penal Code and 27 of the Arms
Act.

It is submitted by the learned counsel for the
petitioner that though the petitioner is one of the named accused
in the first information report, on completion of investigation,
the culpability of the petitioner has not been found in the
alleged offence. He submitted that the police submitted final
report against him, but the Magistrate differing with the police



report took cognizance of the offence. He submitted that similarly circumstanced co-accused Guddu Singh has already been granted the privilege of pre-arrest bail vide order dated 09.11.2017 passed in Cr. Misc. No. 52723 of 2017.

The contentions advanced before this Court have not been controverted by the learned Additional Public Prosecutor for the State.

Regard being had to the submissions made above, the petitioner named above 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 learned Chief Judicial Magistrate, Lakhisarai in Barahiya P. S. Case No. 206 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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