

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26375 of 2018

Arising Out of PS.Case No. -222 Year- 2017 Thana -DAUDPUR District- SARAN

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Sunil Chaudhary, son of Late Hiralal Chaudhary, resident of village -
Siswan Khurd, Police Station - Daudpur, District - Saran at Chapra.

.... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Daudpur P.S. Case No. 222 of 2017 registered under
Sections 323, 341, 326, 354, 376 and 511 of the Indian Penal
Code.

It is submitted by the learned counsel for the
petitioner that a false and fabricated complaint was filed by the
complainant, who happens to be sister-in-law (Bhabhi) of the
petitioner on 11.09.2017 in respect to an occurrence, which is
alleged to have taken place on 3rd September, 2017. It is further
submitted that the complaint has been referred to the police



under Section 156(3) of the Code of Criminal Procedure pursuant to which the first information report has been instituted on 24.11.2017. It is contended that the motive for institution of the false case is that the wife of the petitioner had lodged a case bearing Daudpur P.S. Case No.97 of 2017 against the informant and her husband under Section 307 of the Indian Penal Code prior to the institution of the present first information report.

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

Considering 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 Chief Judicial Magistrate, Saran at Chapra in connection with Daudpur P.S. Case No. 222 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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