

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55569 of 2018

Arising Out of PS.Case No. -1016 Year- 2016 Thana -COMPLAINT CASE District- JAMUI

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Ram Lal Rai S/o Late Baiju Rai, R/o Vill.- Karhara Dhani Tola, P.S.-
Jhajah, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kunti Devi W/o Binod Rai, R/o Vill.- Dhani Rai, Tola, P.S.- Jhajah,
District- Jamui.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 1016-C of 2016 registered under
Sections 341, 323, 380 & 384 of the Indian Penal Code.

My attention has been drawn towards para 5 of the
order dated 06.07.2018 passed by the learned Session Judge,
Jamui in A.B.P. No. 736 of 2018 whereby the prayer for grant of
pre-arrest bail of the petitioner was rejected. On perusal of the
same, I find that there was no reason for denying the prayer made
by the petitioner as the learned Session Judge himself had given
his findings that no ransom amount has been paid, there is no



injury report on record, in solemn affirmation the complainant did not support the fact of theft of Rs. 5,000/- and other witnesses examined under Section 202 of the Code of Criminal Procedure did not support the allegation under Section 379 of the Indian Penal Code.

Regard being had to the nature of evidence and the findings recorded by the learned Session Judge, in his order dated 06.07.2018, in the event of arrest or surrender before the court below within four 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 Sub-Divisional Judicial Magistrate, Jamui, in connection with Complaint Case No. 1016 C of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/Sneha

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