

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9604 of 2019

Arising Out of PS. Case No.-28 Year-2018 Thana- MUSAHARI District- Muzaffarpur

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RAM LAKHAN DAS Son of Late Yadu Das Head Master (Suspended),
Middle School, Raghunathpur, P.S.- Mushahari

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

6 01-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mushahari P.S. Case NO. 28 of 2018, disclosing offences under Sections 406,409,420,406/34 of the Indian Penal Code.

A supplementary affidavit has been filed on behalf of the petitioner bringing on record the copy of the First Information Report of Mushahari P.S. Case No. 189 of 2017, which has been wrongly typed as ‘89 of 2017’ in paragraph 3 of the application.

It has been the stand on behalf of the petitioner that the present case and the said Mushahari P.S. Case No. 189 of 2017 are based on the same allegation. In Mushahari P.S. case No. 189 of 2017, the petitioner has been granted anticipatory



bail by this Court by an order dated 10.04.2018 passed in Cr. Misc. No.9324 of 2018. On comparison of the two F.I.Rs, I find substance in the submission made on behalf of the petitioner that allegation in both the cases relates to the same occurrence.

Considering the above submission, this application is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-VI-cum-Additional Chief Judicial Magistrate, Muzaffarpur in Mushahari P.S. Case No. 28 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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