

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30559 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- ARA NAWADA District- Bhojpur

AMRITA SINGH Wife of Shri Malkhan Singh D/o Shri Vijay Singh, Resident of Village-Mohalla-Maulabagh (Dr. Isha Near Shiv Mandir ka gali) P.S.-Ara Nawada, District-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajani ranjan Pd. Singh
Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

For the Informant : Mr. Shiv Prasad Gupta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ara Nawada P.S. Case No. 236 of 2018 for the offence punishable under Sections 120(B), 406, 420, 323 and 504 of the Indian Penal Code.

The petitioner, who is an accused, and the informant, both are the practicing lawyers. It appears from the First Information Report that, allegedly, the petitioner was working in the chamber of the informant. Initially, a complaint case was filed, which was registered as Ara Nawda P.S. Case No. 238 of 2018 under Section 156(3) of the Code of Criminal procedure. The police appear to have submitted final report



holding the case to be not true. Learned Chief Judicial Magistrate, however, differing from the police report, has taken cognizance, which has given the petitioner cause of action to file the present anticipatory bail application.

On perusal of the complaint petition and the First Information Report, I am, *prima facie*, satisfied with the submission advanced on behalf of the petitioner that the lodging of the present case, in the facts and circumstances, is an abuse of the process of the Court.

This application is accordingly 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 C.J.M., Bhojpur at Ara, in Ara Nawada P.S. Case No. 236 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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