

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77556 of 2018

Arising Out of PS. Case No.-304 Year-2018 Thana- MINAPUR District- Muzaffarpur

1. Ram Sagar Sahni S/o Late Faujdar Sahni
2. Shila Devi wife of Lalu Sahni
Both R/o Vill.- Bishanpur Kanth, P.S.- Mohanpur, District- Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate
For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 24-01-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Meenapur P. S. Case No.304 of 2018 registered under Sections
363 and 366A read with 34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that the
application under 438 of the Code of Criminal Procedure as far
as petitioner no. 1 Ram Sagar Sahni is concerned, it has become
infructuous as he has already been arrested.

He further submitted that there is an inordinate and
unexplained delay of over two months in institution of the first
information report which was referred to the police under
Section 156(3) of the Code of Criminal Procedure.



Considering the nature of allegation made against the petitioner which was based on a complaint filed before the court, in the event of arrest or surrender before the court below, the petitioner no. 2 Shila Devi 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, Muzaffarpur in Meenapur P. S. Case No.304 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

Considering the submission made above, the application as far as petitioner no. 1 is disposed of as infructuous.

(Ashwani Kumar Singh, J)

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