

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46311 of 2019

Arising Out of PS. Case No.-260 Year-2016 Thana- NOORSARAI District- Nalanda

DEVENDRA CHAUHAN Son of Ram Sajivan Chauhan Resident of Village -
Sirnama (Sirnawan) Tola Laxminiya Bigha, P.S.- Bena (Wena), Distt -
Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Noorsarai P.S. Case No. 260 of 2016 disclosing the offence
under Section 366 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner
has submitted that upon completion of investigation the police
have already submitted charge-sheet but the petitioner has not
been sent up by the police for trial since there was no material
collected in course of investigation against the petitioner. The
court below has, however, taken cognizance of the offence and
summoned the petitioner also and that is why petitioner
apprehends arrest.

Considering the above submission and the fact that



the investigation is complete, 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 bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount to the satisfaction of the learned Additional Chief Judicial Magistrate-Vth, Jamui in Noorsarai P.S. Case No. 260 of 2016, subject to the condition 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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