IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77455 of 2018

Arising Out of PS. Case No.-293 Year-2018 Thana- BUDDHACOLONY District- Patna

==========

Raj Kumar Singh @ Pintu Kumar S/o Suresh Prasad Mahto , R/o Mohalla-South Mandiri (Kathpul), P.O.- G.P.O., P.S.- Budha Colony, District- Patna.

... ... Petitioner

Versus

The State of Bihar

... ... Opposite Party

==========

Appearance :

For the Petitioner/s : Mr.Amit Kumar Rakesh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP

==========

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Budha Colony P. S. Case No.293 of 2018 registered under Sections 341, 323, 379, 494, 504 and 506 read with 34 of the Indian Penal Code.

Learned counsel for the petitioners submitted that from perusal of the FIR itself, it would be manifest that the wife of the informant ran away out of her own sweet will with co-accused Sanjay Kumar. The informant had earlier also filed another case bearing Budha Colony P. S. Case

WEB COPY

No.73 of 2018 under Sections 363, 365, 379, 504 and 506 read with 34 of the Indian Penal Code making allegation against the aforestated Sanjay Kumar, Sikandar Kumar and Chandrama Prasad as his wife had earlier also ran away. He contended that co-accused Sikandar Kumar @ Sikandar Singh has already been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 20.12.2018 passed in Cr. Misc. No. 76442 of 2018. He contended that the informant has given the name of the petitioner in the instant FIR only out of wild suspicion that the petitioner may also be instrumental in taking away his wife.

On the other hand, learned counsel appearing for the informant submitted that the victim has yet not been recovered. However, he stated that co-accused Sikandar Kumar has already been granted pre-arrest bail by a co-ordinate Bench of this Court.

Considering the rival submissions made by the parties, in the event of arrest or surrender before the court below, the petitioner named above 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 Sub-Judge-XVI-cum-ACJM, Patna in Budha

WEB COPY

Colony P. S. Case No.293 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

kanchan/-

U		T	

WEB COPY