

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77330 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- ARARIA District- Araria

Shivdani Paswan @ Shibdani Paswan Son of Faguni Paswan Resident of
Village-Mohiuddinpur(Mohiuddin),P.S. Hassanpur,Distt.-Samastipur,the then
Assistant Engineer,Irrigation Division Murliganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

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

The petitioner seeks pre-arrest bail in connection with
Araria P.S.Case No. 502 of 2018 registered under Sections 406,
409, 420 and 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that there is inordinate and unexplained delay of about
8 years in institution of the FIR. Several other co-accused
having more or less identical allegation have already been
granted pre-arrest bail by this Court. He has produced orders
passed in Cr.Misc. Nos.73921 of 2018, 62847 of 2018 and
77742 of 2018 in order to substantiate his contention that co-
accused Sri Kant Mandal, Rajanandan Kumar @ Rajnandan



Kumar, Raj Ballabh Yadav @ Raj Ballabh Yadav, Md. Manzar Naim @ Md. Manzar Nayeem and Dinesh Chaupal have been granted pre-arrest bail by different Benches of this Court.

Learned counsel for the State does not dispute the fact that other co-accused having more or less identical allegation have been granted pre-arrest bail by different Benches of this Court.

In that view of the matter, in the event of arrest or surrender before the court below, the petitioner 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 the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 502 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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