

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50469 of 2015

Arising Out of PS.Case No. -389 Year- 2015 Thana -BIHTA District- PATNA

=====

1.Raj Kumar Mistri @ Raj Kumar Sharma son of Late Bifan Mistri, resident of village- Rajpur, P.S.-Bihta, District- Patna

2.Saroj Kumar Lal @ Saroj Lal son of Ram Jalam Lal, resident of village- Bihta, Purwari Dih, Chamartoli, P.S.- Bihta, District- Patna

3.Sittue Kumar son of Manoj Lal, resident of village-Bihta, Purwari Dih, Chamartoli, P.S.-Bihta, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. S.M.Rahman, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 05-11-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Bihta P.S. Case No.389 of 2015 registered under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

It is contended that the petitioners are innocent and have falsely been implicated in the present case. Earlier the petitioner no.1 had filed a title suit before the court of Sub Judge-1, Danapur vide Title Suit No.194 of 2014 implicating the informant Lal Babu Lal and others as defendants and one Sunita Devi wife of petitioner no.1 had also filed a case against Lal Babu Lal and others vide Bihta P.S. Case No.265 of 2015 for the offences

punishable under sections 147, 148, 149, 341, 323, 452, 354, 380, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the State has opposed the application filed on behalf of the petitioners.

Regard being had to the fact that specific allegation of overt act is confined to co-accused Bittu Kumar and Manoj Lal, in the event of arrest or surrender in the court below within six weeks from today, **the above named petitioners are directed to be released on bail** on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur, Patna in connection with Bihta P.S. Case No.389 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Md.S./-

(Ashwani Kumar Singh, J)

U		T	
---	--	---	--