

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51759 of 2015

Arising Out of PS.Case No. -96 Year- 2015 Thana -GOPALPUR District- PATNA

- =====
1. Binod Kumar Son of Janaki Sharan Singh
 2. Shyam Narayan Singh son of late Ram Dahin singh
- Both Resident of Udaini , P. S -Gopalpur , District Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate.
Mr. Rajesh Kumar, Advocate

For the State : Mr. Ahmad Ali, APP

For the informant : Mr. Aditya Nr. Singh-I, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with
Gopalpur P. S. Case No. 96 of 2015 registered under Sections
147, 148, 149, 341, 323, 324, 307, 504 and 379 of the Indian
Penal Code.

It is contended that there is general and omnibus
allegation made against all the family members including the
petitioners. It is further contended that as a matter of fact, the
members of informant's side were aggressor and they along

with some others assaulted the members of the petitioners' family and later on, to save their skin they came forward with the present case. It is also contended that with respect to the same occurrence, co-accused Appu Kumar has instituted Gopalpur P. S. Case No. 94 of 2015 which has been registered under Sections 341, 323, 324, 307, 504, 506, 379, 120 B and 34 of the Indian Penal Code.

Further submission is that due to prevailing dispute of passage of ingress and egress of the house there was some scuffle and in said scuffle both sides received simple injuries.

Learned counsel for the informant has opposed the application filed on behalf of the petitioners. He has submitted that counter case instituted by co-accused Appu Kumar is based on false allegations and one of the co-accused Dev Krishna Singh @ Changu Singh had assaulted the informant with farsa on the head causing serious injury.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioners named above are 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 Judicial Magistrate,

1st Class, Patna in Gopalpur P. S. Case No. 96 of 2015, 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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