

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2179 of 2016

Arising Out of PS.Case No. -240 Year- 2015 Thana -DARIYAPUR District- SARAN

1. Barelal Rai
2. Sahdeo Rai, Sons of Late Punit Rai,
3. Bisheshwar Rai @ Bishesh Rai,
4. Sumeshwar Rai @ Sumeh Rai, Son of Barelal Rai,
5. Nagendra Rai,
6. Raju Rai, Son of Sahdeo Rai,
All resident of village - Darbesa Sikandra, P.S. - Dariyapur, District - Saran.
..... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. A.K. Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 11-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

At the outset, it is submitted that the application for
grant of pre-arrest bail of petitioner no. 1, namely, Barelal Rai
has already been dismissed as infructuous vide order dated
15.03.2016 passed by this Court as during pendency of the
application before this Court, he was arrested by the police.

The petitioners no. 2 to 6 seek pre-arrest bail in
connection with Dariyapur P.S. Case No. 240 of 2015 registered
under Sections 147, 148, 149, 323, 324, 341 and 307 of the
Indian Penal Code.

It is contended that due to dispute relating to erection of boundary wall, there was free fight between the parties, as a result of which, members of both sides sustained injuries. A counter case has also been instituted in which the informant and others have been made accused. It is also contended that the injuries sustained by the members of the prosecution party have been found to be simple in nature.

Learned counsel for the State has opposed the application for grant of pre-arrest bail.

Regard being had to the nature of allegation, in the event of arrest or surrender in the court below within six weeks from today, the petitioners no. 2 to 6, namely, Sahdeo Rai, Bisheshwar Rai @ Bishesh Rai, Sumeshwar Rai @ Sumesh Rai, Nagendra Rai and Raju Rai 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 the learned Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 240 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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