

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29065 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -SHERGHATI District- GAYA

1. Munni Saw S/o Ganari Saw
2. Sanjeet Saw S/o Munni Saw

Both residents of village - Majhanpur, P.S. Sherghati, Distt. - Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate
For the Opposite Party/s : Sri Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Sherghati P. S. Case No. 120 of 2016 registered under Sections
341, 323 and 307/34 of the Indian Penal Code.

It is contended by the learned counsel for the
petitioners that apart from Section 307 of the Indian Penal
Code, other offences alleged are bailable in nature. The injury
report as contained in Annexure- 2 series would indicate that all
the injuries sustained by the injured persons were simple and
superficial in nature and in that view of the matter, the
ingredients of the offence punishable under Section 307 of the

Indian Penal Code would not be attracted.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioners. He has submitted that the injuries were caused on vital part of the body, and hence, it cannot be said that the ingredients of the offence punishable under Section 307 of the Indian Penal Code are not attracted.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six 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 Additional Chief Judicial Magistrate, Sherghati, Dist. Gaya in Sherghati P. S. Case No. 120 of 2016, 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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