

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13730 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -CHAUTHAM District- KHAGARIA

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1. Sudin Bhagat @ Sudin Yadav
 2. Mukesh Bhagata @ Mukesh Kumar
 3. Raj Kishore Bhagata
 4. Surendra Bhagata
- All sons of Late Nepali Bhagata
5. Mithun Bhagata @ Mithun Yadav
 6. Pandav Bhagata @ Pandav Kumar
 7. Bablu Bhagata @ Bablu Kumar
- All sons of Surendra Bhagata, All are residents of Village - Sonvarsha, P.S. - Chautham, District - Khagaria.
- Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kr. Panday, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Chautham P.S. Case No. 128 of 2015 registered under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.

It is contended that the petitioners have been falsely implicated in the present case. Though the allegation is that all the accused persons named in the FIR including the petitioners

were possessing firearms not even a single firearm injury was caused to the informant. It is further contended that the injuries caused to Kailash Yadav were simple and superficial in nature and hence, the ingredients of the offence punishable under Section 307 of the Indian Penal Code are wanting in the present case.

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

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners, who are reported to be men of clean antecedent, 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, Khagaria in connection with Chautham P.S. Case No. 128 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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