

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28896 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -BIHRA District- SAHARSA

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Rajesh Kunwar @ Rajesh Kumar, Son of late Lallan Kunwar @ Lalan Kumar, Resident of Village-Sihoul, P.S.- Bihra, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar – 1, APP 186

For the Informant : Mr. Uday Chand Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-07-2016

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Bihara P.S. Case No. 57 of 2016 registered under Sections 302, 120-B of the Indian Penal Code and 27 of the Arms Act.

It is submitted by the learned counsel for the petitioner that co-accused Anil Kumar Jha, Raja Ram Mukhiya, Ram Shankar Mukhiya, Bhushan Mukhiya @ Shashi Bhushan Mukhiya and Mithilesh Jha having identical allegation to that of the petitioner have already been granted pre-arrest bail vide orders dated 28.06.2016 and 1st July, 2016 passed by the different Benches of this Court vide Cr. Misc. Nos. 25627 of 2016, 26195 of 2016 and 26517 of 2016. Web copies of the

aforesaid orders have been produced by the learned counsel for the petitioner in course of argument. Let these orders be kept on record.

Learned counsel for the State and learned counsel for the informant have opposed the application for grant of pre-arrest bail to the petitioner. However, they concede that the case of the petitioner stands on identical footing to that of the other co-accused persons who have already been granted pre-arrest bail to the petitioners.

Regard being had to the reasons assigned in the aforesaid orders, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is 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, Saharsa in connection with Bihara P.S. Case No. 57 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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