

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34496 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -KARPI District- JEHANABAD

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1. Mithilesh Singh Son of Late Manijar Singh.
2. Satish Kumar S/o Mithilesh Singh
3. Mukesh Kumar Son of Mithilesh Singh
4. Rajendra Kumar Son of Mithilesh Singh
All are resident of Village- Jindapur, P.S. Karpi, District- Arwal.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Viveka Nand Singh
For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 01-09-2016 Heard Sri Vivekanand Singh, learned counsel for the

petitioners, learned A.P.P. as well as Sri Abhinav Raj, learned

counsel who has voluntarily appeared on behalf of the informant.

Four petitioners out of which petitioner no. 2 to 4 are
sons of petitioner no. 1 apprehending their arrest in Karpi P.S.
Case No. 71 of 2016 registered for the offence under section
147/148/149/341/323/324/307/504/506/452 of the Indian Penal
Code have prayed for grant of bail in the event of their arrest or
surrender.

It was submitted by learned counsel for the petitioners
that informant in the present case is non else but own brother of
the petitioner no. 1 and uncle of petitioner no. 2 to 4. He further
submits that there was case and counter case in between the

parties. By way of referring to the F.I.R. it has been argued that in the F.I.R. section 307/452 of the Indian Penal Code has been added. On perusal of the F.I.R. there is no element of application of those sections.

Learned A.P.P. as well as Sri Abhinav Raj, learned counsel for the informant have vehemently opposed the prayer for bail and it was argued that there is specific accusation against the petitioners.

Keeping in view the fact that petitioners and informant sides are both close relatives and there was case and counter case as well as the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the aforesaid four petitioners Mithilesh Singh, Satish Kumar, Mukesh Kumar and Rajendra Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Jehanabad / concerned court in connection with Karpi P.S. Case No. 71 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure .

(Rakesh Kumar, J)

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