

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13727 of 2016

Arising Out of PS.Case No. -46 Year- 2013 Thana -GOPALPUR District- GOPALGANJ

- =====
1. Rahman Mian s/o - Sadique Mian
 2. Sobrati Mian @ Nadim Ansari s/o - Rahman Mian
 3. Sabir Mian @ Sabir Hussain s/o Rahman Mian

All are r/o Village - Purkhash Laxmi Tola Kachahri, P.S. Gopalpur,
District - Gopalganj.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate
For the Opposite Party/s : Mr. Madhuranand Jha, 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
Gopalpur P. S. Case No. 46 of 2013 registered under Sections
341, 323, 324, 307, 448 and 34 of the Indian Penal Code.

It has been contended by learned counsel for the
petitioners that the informant and the petitioners are close
agnates and land dispute is going between the parties since long.
He has further contended that the injury report would reflect
that the injuries sustained by the informant and others are all

simple and superficial in nature. He has also contended that in view of the nature of injuries sustained by the members of the prosecution party, it would be evident that the ingredients of the offence punishable under Section 307 of the Indian Penal Code are not attracted in the present case.

On the other hand, learned counsel for the State has opposed the prayer 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 before the court below within four 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 Sri Harsh Bardhan, Judicial Magistrate, 1st Class, Gopalganj in Gopalpur P. S. Case No. 46 of 2013 (Trial No. 1324/16), 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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