

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21608 of 2016

Arising Out of PS.Case No. -376 Year- 2015 Thana -BARH District- PATNA

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1. Santosh Singh @ Santosh Kumar
2. Guddu Singh alias Ishwarchand Vidyasagar.
Both sons of late Tanik Singh alias Dara Singh, resident of Village- Berhna,
P.S.- Barh, District- Patna, at present residing at Mohalla- Nath Chak, Naya
Tola, near western Railway Cabin, Barh, P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Prasad Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Barh P.S. Case No. 376 of 2015 registered under Sections
341, 323, 448, 307, 504 and 506/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that the ingredients of the offence punishable under
Section 307 of the Indian Penal Code are not attracted in the
present case as the informant had sustained only one simple and
superficial injury. He has drawn my attention towards Annexure-2
to the present application, which would make it evident that the
doctor, who had examined the injured Raj Kumar Ram, had found

only one lacerated wound measuring $\frac{1}{2}$ " x $\frac{1}{4}$ " x skin deep on right parietal area of the skull and the same was found to be simple caused by hard blunt object. It is further submitted that in the FIR altogether five persons have been made accused and they all are alleged to have assaulted the informant but only one superficial injury was found on his person.

Regard being had to the submissions advanced at the Bar, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, namely, Santosh Singh @ Santosh Kumar and Guddu Singh @ Ishwarchand Vidyasagar are directed to be released 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 the learned A.C.J.M., Barh in connection with Barh P.S. Case No. 376 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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