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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21777 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -BEGUSARAI MUFFASIL District-BEGUSARAI

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1. Nilesh Singh @ Nilesh Kumar @ Nilesh Kumar Singh S/o Late Brij Nandan Singh
2. Ayush Kumar S/o Nilesh Singh

Both are R/o village - Ramdiri Tola, Ram Nagar, P.S. Matihani Distt. - Begusarai

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, 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 Begusarai (Muffasil) P. S. Case No. 170 of 2015 registered under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

It is contended that as a matter of fact, the present case has been instituted in retaliation to Muffasil P. S. Case No. 161 of 2015 which was instituted on 13th May, 2015, i.e., five days before the present FIR. It is further contended that no independent witness has come forward to support the allegation made in the

present FIR and the petitioners have not been made accused in any other case.

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 six 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 learned Chief Judicial Magistrate, Begusarai in Begusarai (Muffasil) P. S. Case No. 170 of 2015, 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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