

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23016 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -NANHPUR District- SITAMARHI

1. Md. Shahid Nadaf, son of Late Sabir Nadaf
2. Jahid Nadaf, son of Late Sabir Nadar
3. Alamgir Nadaf, son of Hakim Nadaf
4. Ismail Nadaf, son of Jainul Nadaf
5. Junaid Nadaf, son of Late Sabir Nadaf

All residents of village - Balasath, P.S.- Nanpur, District - Sitamarhi.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 26-05-2016

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

The petitioners seek pre-arrest bail in connection with Nanpur P.S. Case No. 87 of 2015 registered under Sections 147, 148, 341, 323, 324, 307 and 504 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that though the charge-sheet was submitted under the bailable offences of the Indian Penal Code, the learned Magistrate has taken cognizance of the offence punishable under

Section 307 of the Indian Penal Code. It is further submitted that all the injuries found on the person of the three injured are simple in nature and there was nothing on the basis of which cognizance could have been taken for the offence punishable under Section 307 of the Indian Penal Code.

Learned counsel for the State has opposed the application for grant of pre-arrest bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners 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 the learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi in connection with Nanpur P.S. Case No. 87 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--