

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29100 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -PAKARIBARAW District- NAWADA

1. Birajnandan Prasad Son of Santoshi Mahto
2. Ajeet Kumar Son of Birajnandan Prasad

Both are Resident of village - Sinduara, P.S. Pakaribrawan, District -
Nawada

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Sir Pawan Kumar Chaurasiya, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-07-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Pakribrawan P. S. Case No. 56 of 2016 registered under
Sections 341, 323, 324, 307, 379, 504 and 506/34 of the Indian
Penal Code.

It is submitted by learned counsel for the petitioners
that there is case and counter case. One Kedar Prasad, brother of
petitioner no. 1 Birajnandan Prasad had instituted Pakribrawan
P. S. Case No. 57 of 2016 against the informant and his family
members and in retaliation to the said case, the instant case has

been instituted. It is further contended that the injuries are on both sides and the members of the prosecution party have sustained only simple and superficial injuries. It is also contended that the ingredients of the offence punishable under Section 307 of the Indian Penal Code would not be attracted in the facts and circumstances of the present 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, Nawada in Pakribrawan P. S. Case No. 56 of 2016, 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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