

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44391 of 2017

Arising Out of PS.Case No. -167 Year- 2017 Thana -MEERGANJ District- GOPALGANJ

- =====
1. Rakesh Ram, Son of Shiv Mangal Ram,
 2. Munna Ram Son of Shiv Nath Ram, Both are R/o Village- Sihorawa
P.S.- Mirganj, District- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Umesh Kumar Singh

For the Opposite Party : Mr. Sri Shailendra Kumar -2

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-09-2017 The learned counsel for the petitioners submits that petitioner no.2 Munna Ram has been arrested and as such, the prayer of pre-arrest bail has become infructuous and accordingly permission has been sought to withdraw the prayer of Munna Ram.

Prayer is allowed.

Heard learned counsel for the petitioner no.1 Rakesh Ram, learned counsel for the informant and learned counsel representing the State.

The petitioner apprehends his arrest in connection with Mirganj P.S. Case No. 167 of 2017 (G.R. 2214 of 2017), registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379 and 504 of the Indian Penal Code.



In the F.I.R. the allegation against the petitioner Rakesh Ram is that he assaulted with sword to the informant on his head and when Radhika Devi the wife of the informant came for rescue she was also assaulted by sword by the petitioner.

Submission is of false implication and that the informant has received injury caused by hard and blunt substance, no sharp cut injury has been found on his person and all the injuries are simple in nature. Radhika Devi has sustained incised wound over left side of forehead of size 2" x 1/4" skin deep which is superficial in nature and the nature is simple and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner has assaulted the informant and his wife both and, as such, he does not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that the injury found on the person of Radhika Devi is simple in nature and further the informant has received simple injury and, as such, the petitioner Rakesh Ram, in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate XVI, Gopalganj, in connection with Mirganj P.S. Case No. 167 of 2017 (G.R. 2214 of 2017), subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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

