

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2851 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

- =====
1. Shankar Sah, son of Late Bhola Sah
 2. Umesh Bhagat, son of Jagdish Bhagat, Both are residents of Village - Bihariganj, P.S. - Bihariganj, District - Madhepura.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party : Mr. Madhura Nand Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Bihariganj P.S. Case No. 171 of 2016, registered for the offences punishable under Sections 147, 148, 149, 156, 295-A, 341, 323, 353, 332, 333, 427 of the Indian Penal Code.

Allegedly, during cultural programme on the occasion of Durga Puja some scuffle had taken place in between two groups and the petitioners were also identified during scuffle.

Submission is of false implication and that in this case similarly situated co-accused Raja Bhagat @ Raja Jaiswal has been allowed pre-arrest bail vide Cr. Misc. No 53070 of 2016 by another co-ordinate Bench of this Court and thereafter Deepak



Kumar Singh, Kishore Kumar, Randhir Kumar Singh and Munna Das have also been allowed pre-arrest bail vide Cr. Misc. No. 2203 of 2017 by this Court and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that similarly situated co-accused have been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioners in the event of their 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 bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Mr. Pradeep Kumar Chaudhary, learned Judicial Magistrate, 1st Class, Uda-Kishunganj (Madhepura), in connection with Bihariganj P.S. Case No. 171 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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