

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35047 of 2017

Arising Out of PS.Case No. -317 Year- 2016 Thana -MARHAURA District- SARAN

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Santosh Singh Son of Uma Shankar Singh, R/o Village- Bhaluhi, P.S.-
Marhowrah, District- Saran at Chapra. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Mr. Sri Anant Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Marhowrah P.S. Case No. 317 of 2016 registered for the
offences punishable under Sections 341, 323, 307 and 504/34 of
the Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, the petitioner caught hold the informant and
co-accused Upendra Singh assaulted with Tangi on his head
causing cut and bleeding injury.

Submission is of false implication and that the
petitioner has been unnecessarily made accused in this case. He
was not present at the time of occurrence. Against the petitioner,
there is only allegation that he caught hold the informant and, as
such, he deserves sympathetic consideration.

The learned A.P.P. fairly submits that allegation of



assault is against the co-accused Upendra Singh.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Saran at Chapra in connection with Marhowrah P.S. Case No. 317 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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