

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48570 of 2017

Arising Out of PS. Case No.-368 Year-2017 Thana- BIHARSHARIF District- Nalanda

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1. Ghan Shyam Prasad @ Ghan Shyam Kumar, Son of Prayag Yadav,
 2. Raushan Kumar @ Adarsh Kumar S/o Ghan Shyam Prasad @ Ghan Shyam Kumar, R/o Village- Khidar Chak, P.S.- Rahui, District- Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. SRI NAWAL KISHORE PRASAD

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-12-2017 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Bihar P. S. Case No. 368 of 2017 registered for the offences punishable under Sections 341, 323, 504, 379, 308/34 of the Indian Penal Code.

Allegedly, the petitioners and other co-accused assaulted the informant with stone after wrapping the same in the Gamcha on the head of the informant causing head injury and bleeding and when the father of the informant tried to save the informant, he was assaulted on his nose and further the mother was also assaulted and her gold chain and ear ring were snatched by Sima Devi.

Submission is of false implication and that there is case



and counter case, the injury report goes to show that both the persons have received injury and co-accused Sima Devi has been allowed pre-arrest bail vide Cr. Misc. No. 40910 of 2017 by another co-ordinate Bench of this Court. In the counter case also the accused persons have been allowed pre-arrest bail and as such the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Bihar P. S. Case No. 368 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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