

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38297 of 2017

Arising Out of PS.Case No. -84 Year- 2016 Thana -BASNAHI District- SAHARSA

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1. Rajesh Kumar @ Rajesh Kumar Yadav, Son of Late Tej Narayan Yadav.
2. Pinku Kumar @ Pinku Kumar Yadav, Son of Ravindra Yadav.
3. Himanshu Kumar @ Himansh Kumar Yadav, Son of Ravindra Yadav.
4. Shankar Choudhary, Son of Kamleshwari Choudhary All resident of Village- Malaudha, Police- Station- Basnahi, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2017 Heard the parties.

The petitioners seek pre-arrest bail in Basnahi P.S. Case No.84 of 2016 registered for the offence under Sections 147, 148, 149, 341, 323, 325, 379, 504, 506 of the I.P.C. and Section 27 of the Arms Act.

Allegation against the petitioners is that petitioners are named in the First Information Report and the case is under Sections 323 and other allied Sections of the I.P.C. and further appears that all the accused persons were armed with three nuts.

Submission of the learned counsel for the petitioners is that there is no specific allegation against the petitioners in the whole



First Information Report. There is case and counter case between the parties. Petitioners have also sustained injuries.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction to the petitioners to surrender before the court below within a period of six weeks from today and make prayer for regular bail which will be considered by the court below on the material available on the record on its own merit, if possible, on the same day without being prejudiced by this order.

This application is disposed of with the aforesaid direction.

(Vinod Kumar Sinha, J)

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