

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61148 of 2017

Arising Out of PS.Case No. -205 Year- 2017 Thana -WARISNAGAR District- SAMASTIPUR

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1. Sundeshwar Singh, Son of Late Piyare Singh,
 2. Sobha Devi, W/o Sundeshwar Singh,
 3. Rekha Devi, W/o Kapildeo Sah, All R/o Village Charo, P.S.- Warisnagar, Distt- Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Abdus Shakoor

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Warisnagar P.S.Case No. 205 of 2017 registered under Sections 341, 323, 307, 379, 354, 504 and 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that save and except Sections 307 and 379 of the Indian Penal Code, all other Sections are bailable in nature. He submitted that the petitioner no.1 is brother of the informant and the injuries sustained by him in the scuffle, which took place over petty dispute, were all simple and superficial and, thus, the ingredients



of the offence punishable under Section 307 of the Indian Penal Code would not be attracted. He contended that so far as Section 379 of the Indian Penal Code is concerned, the same is ornamental in nature.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the allegations made in the FIR and the submissions advanced before the Court, in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Samastipur in connection with Warisnagar P.S.Case No. 205 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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