

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27503 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -NAUTAN District- SIWAN

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1. Suresh Rajbhar, son of Jhangur Rajbhar
2. Subhash Rajbhar, son of Jhangur Rajbhar,
Both are Resident of Village- Semariya, P.S. Nautan, District- Siwan.
..... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance:

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.
For the Opposite Party-State: Mr. Ganesh Prasad Singh, A.P.P.
For the Informant: Mr. Arghesh Kumar and
Ms. Rinki Kumari, Advocates.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-07-2017 Heard Sri Bijay Prakash Singh, learned advocate for

the petitioners, Sri Arghesh Kumar, learned advocate appearing on

behalf of the informant as well as Sri Ganesh Prasad Singh,

learned A.P.P. for the State.

The petitioners are seeking regular bail in Nautan
P.S. Case No. 177 of 2016 under Sections 147, 148, 149, 307 and
302 of the Indian Penal Code.

Learned counsel for the petitioners submits that from
the Fardbeyan of the informant it would appear that as many as 9
persons have been named as accused who were lashed with lathi
and Farsa. It would appear from the same Fardbeyan that the
informant and his several family members had also participated in
the alleged occurrence and there seems to be a free-fight in which



Sheo Shankar Pandit succumbed to his injuries on way to hospital. Learned counsel further submits that as many as four persons from the accused side were also injured, it is a case where the informant side has also lodged a counter case. He also points out that a similarly situated accused Indrashan Rajbhar has been granted regular bail by a co-ordinate bench of this Court in Cr. Misc. No. 9476/2017.

Learned counsel for the informant though opposed the prayer for bail of these petitioners, however, on the face of the statements made in the Fardbeyan and the order of the co-ordinate bench of this Court, he is unable to show any specific allegation against these petitioners so as to distinguish their case.

Considering the facts and circumstances of the case, let the petitioners, namely, Suresh Rajbhar and Subash Rajbhar be enlarged 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 the learned Additional District Judge VI, Siwan in Sessions Trial No. 280/17 arising out of Nautan P.S. Case No. 177 of 2016, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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