

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2787 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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1. Sanjeet Singh, S/o Late Kamta Singh,
2. Chandan Kumar, S/o Sanjeet Singh,
3. Kundan Kumar, S/o Sanjeet Singh,
4. Saket Kumar, S/o Pukar Singh,
Petitioner 1 to 4 are R/o Village Manjurahi, P.S.- Muffasil, District-
Aurangabad.
5. Chandan Kumar, S/o Bharat Sao,
6. Teju Kumar, S/o Ashok Singh,
Both Petitioner no.5 & 6 are R/o Village Amauna, P.S.- Risiap, District-
Aurangabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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

ORAL ORDER

3 09-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

Supplementary affidavit has been filed on behalf of the
petitioners annexing the copy of FIR of Muffasil P.S. Case No.
173 of 2016. Let it be kept on record.

Petitioners apprehend their arrest in connection with
Muffasil P.S. Case No. 174 of 2016 registered for the offences
punishable under Sections 147, 149, 341, 323, 307, 379, 504 of the
Indian Penal Code.

Allegedly, when the informant along with his son and
others were returning home from his B.Ed College and when his



vehicle proceeded towards his village, suddenly the petitioners made murderous attack on them in which the informant and his son was assaulted and the petitioners snatched Rs. 30,000/- and gold chain and further the accused persons wrapped Gamcha around the neck of both persons and tried to kill them. On hulla raised by the informant, the villagers came and saved their life.

Submission is of false implication and that no offence as alleged has been committed, there is Muffasil P.S. Case No. 173 of 2016 and this case is the counter blast of that case. Both the persons have sustained no injury but the case has been registered under Section 307 IPC also which is not made out and as such the petitioners deserve sympathetic consideration.

Learned APP opposes the prayer of pre-arrest bail.

In the facts and circumstances stated above, considering that earlier Muffasil P.S. Case No. 173 of 2016 has been registered and this case is the counter blast, there is no specific allegation against the petitioners and as such the petitioners above named, in case of their surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall 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 the learned Chief Judicial Magistrate, Aurangabad in connection with



Muffasil P.S. Case No. 174 of 2016, subject to the conditions as
laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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