IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35206 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -BIHRA District- SAHARSA

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1. Saburi Sah, son of Bhukhan Sah,
2. Ashok Sah, Son of Saburi Sah.
3. Chhotu Sah, Son of Saburi Sah.
4. Pramod Sah, Son of Late Fulo Sah.
5. Ramesh Sah, son of Guno Sah, All residents of Village- Majhaul, P.S.- Bihra, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Bihra P.S. Case No. 25 of 2017 for the offences punishable under sections 147, 148, 149, 341, 323, 324, 308, 379, 504 and 506 of the I.P.C.

The learned counsel for the petitioners submits that there is case and counter case. The case lodged by the petitioner's side is under section 307 and other allied sections of the I.P.C, whereas, this case has been lodged under sections 308 and other allied sections of the I.P.C. There was free fight between the

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parties and both sides have sustained injuries. Moreover, now compromise has been arrived at between the parties and hence the petitioners deserve sympathetic consideration. In the case lodged by the petitioner's side, the accused persons of the informant side have been allowed pre-arrest bail vide Criminal Misc. No. 19545 of 2017 by order dated 28.06.2017 by the co-ordinate Bench of this Court and as such the petitioners also deserve sympathetic consideration.

The learned A.P.P. submits that from perusal of Annexure-2 it reveals that there is case and counter case and most of the injured have received no external injury.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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. C.J.M. Saharsa in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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