

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2692 of 2017

Arising Out of PS.Case No. -370 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Krishna Prasad, Son of Late Hardeo Prasad,
 2. Harendra Prasad,
 3. Nagendra Prasad @ Nagina Prasad, Both sons of Late Ganesh Prasad,
All resident of Village- Bahuara Bhan, Police Station- Madhuban,
District- East Champaran at Motihari.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party : Mr. Lalan Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 27-01-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Madhuban P.S. Case No. 370 of 2015, registered for the
offences punishable under Sections 147, 148, 149, 341, 323, 324,
307, 436 of the Indian Penal Code and Section 27 of the Arms
Act.

At the very outset, it is submitted that in this case six
accused persons namely Satish Prasad @ Satish Kumar, Manohar
Prasad, Ajeet Prasad, Raj Kishore Prasad, Hareshwar Prasad and
Sunil Prasad have been allowed pre-arrest bail vide Cr. Misc. No.
45759 of 2016 by order dated 25.11.2016, and on that ground the



petitioners also deserve sympathetic consideration as the case of the petitioners are similarly situated. There is case and counter case and eleven persons are said to have been injured from the side of the petitioners out of which one Ganesh Bhagat succumbed to the injuries but from the side of the informant only three persons are said to have been injured and all the three persons have got simple injuries.

The learned A.P.P. fairly submits that six co-accused similarly situated have been allowed pre-arrest bail by another co-ordinate Bench of this Court.

In the facts and circumstances as stated above, the petitioners in the event 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 learned Additional Chief Judicial Magistrate-XII, East Champaran at Motihari, in connection with Madhuban P.S. Case No. 370 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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