

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46078 of 2017

Arising Out of PS.Case No. -470 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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1. Santosh Kumar Son of Bheem Singh
2. Bheem Singh Son of Late Mosafir Prasad Both Resident of Mohalla-
Fida Hussain Road, P.S. Jehanabad, District Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 04-10-2017 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with Jehanabad P.S.Case No. 470 of 2017 registered under Sections 323, 341, 308, 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

It is submitted by the learned counsel for the petitioners that since co-accused Binod Kumar is alleged to have issued the cheque to the informant, offences alleged under Section 138 of the Negotiable Instruments Act and Section 420 of the Indian Penal Code would not be attracted against the petitioners. He submitted that the injuries sustained by the informant are superficial and were caused on non-vital part of the body. He



further contended that the petitioners have got roots in the society and have never been made accused in any other case.

Learned counsel for the informant has vehemently opposed the application for grant of pre-arrest bail of the petitioner. He submitted that though injury no.1 was found simple, the second injury caused on the forearm was found grievous in nature by the doctor.

Having considered the submission made before the Court and the other attending circumstances, 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 Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S.Case No. 470 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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