

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8004 of 2017

Arising Out of PS.Case No. -442 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

- =====
1. Uday Shankar Singh, Son of Late Ram Pravesh Singh
 2. Bittu Kumar @ Gayanshu @ Gayanshu Kumar, Son of Uday Shankar Singh, Both resident of Village- Chainpur, P.S.- Kanti District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party : Mr. Anuj Kumar Srivastava (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Kanti P.S. Case No. 442 of 2016, registered for the offences punishable under Sections 147, 148, 149, 341, 427, 323, 307, 379, 504 and 506 of the Indian Penal Code and Section 27 Arms Act.

On behalf of the petitioners it is submitted that they have been falsely implicated in this case. As a matter of fact, the informant and others variously armed with pistol and deadly weapon reached at the door of the petitioners for which scuffle took place. Both parties sustained injuries for which there is case and counter case. There is no specific allegation, the injuries found



on the person of the family members of the informant are simple in nature. Similarly situated co-accused Rohit Kumar @ Rohit Kumar Singh has been granted pre-arrest bail vide Cr. Misc. No. 8422 of 2017 by order dated 28.02.2017 by another co-ordinate Bench of this Court and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that similarly situated co-accused Rohit Kumar @ Rohit Kumar Singh has been allowed pre-arrest bail.

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 Sub-Divisional Judicial Magistrate (West) Muzaffarpur, in connection with Kanti P.S. Case No. 442 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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