

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35401 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -SHYAMPUR BHATHA District- SHEOHAR

- =====
1. Rajeev Kumar @ Rajeev Kumar Singh, son of Lalan Singh,
 2. Pawan Kumar @ Pawan Kr Singh, son of Lalan Singh,
 3. Lalan Singh @ Lalan Pd Singh, son of Late Suraj Singh, All are residents of Village- Fulkahan, P.S.- Shyampur Bhatahan, District- Sheohar.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satish Chandra, Advocate

For the Opposite Party/s : Mr. Sri Manish Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Shyampur Bhataha P.S. Case No. 40 of 2017 registered for the offences punishable under Sections 341, 323, 324, 379, 307 and 120B of the Indian Penal Code, seek the privilege of pre-arrest bail.

The learned counsel for the petitioners submits that no offence under Section 307 of the Indian Penal Code is made out. Allegation under Section 379 of the Indian Penal Code is super addition. There was no intervening circumstance. The injuries received by the informant are all simple in nature caused by hard and blunt substance. Similarly, the injury caused by the father of



the informant is simple in nature caused by hard and blunt substance vide Annexure 2 series. The injury of Sanjay Singh is also simple in nature caused by hard and blunt substance and as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that all the three injured have received simple injury, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the 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 Judicial Magistrate 1st Class, Sheohar in connection with Shyampur Bhataha P.S. Case No. 40 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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