

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21173 of 2018

Arising Out of PS. Case No.-100 Year-2017 Thana- PAKRIDAYAL District- East Champaran

1. Bhushan Singh, S/o Ramdev Singh,
2. Awanish Singh @ Awanish Kumar Singh, S/o Shri Bhushan Singh,
3. Ram Ayodhya Singh, S/o Late Rajendra Pratap Singh @ Rajindra Singh.
4. Kunal Singh, S/o Guddu Singh,
5. Guddu Singh, S/o Ram Ayodhya Singh, All Resident of Village-Dhanougi, P.S.- Pakridayal, Dist.- East Champaran, Motihari.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rakesh Kumar Singh, Advocate
For the Opposite Party : Mr. Sanjay Kumar Sharma (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 27-04-2018 Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Pakridayal P.S. Case No. 100 of 2017, registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the Indian Penal Code.

The learned counsel for the petitioners submits that though the petitioners are named in the F.I.R, there is no specific allegation against them. It is also not alleged that they were armed with any weapon at the time of occurrence, the



occurrence is alleged to have taken place on 25.06.2017, whereas F.I.R. was instituted after two days on 27.06.2017 and no reasonable explanation has been given for the delay caused. There is counter case also which was instituted on 25.06.2017 itself and four persons from the side of accused had sustained injuries. Injuries sustained by Amrendra Kumar Singh, Ram Nagina Singh and Prince Kumar from the side of the prosecution were all found simple in nature and similarly situated co-accused Madhurendra Singh @ Madhranjan Singh, Pawan Singh and Munindra Singh @ Muninand Singh have been allowed pre-arrest bail vide Cr. Misc. No. 582 of 2018 by order dated 11.01.2018 by another co-ordinate Bench of this Court and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that all the accused persons named in the F.I.R. have participated in assault and prayer of pre-arrest bail of Ramdeo Singh and others has been rejected.

In the facts and circumstances as stated above, considering the case of the petitioner similar to that of Madhurendra Singh and others who have been allowed pre - arrest bail



and, as such, 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 A.C.J.M.-V, Motihari, East Champaran, in connection with Pakridayal P.S. Case No. 100 of 2017 , subject to the conditions as laid down in section 438(2) of the Cr.P.C.

Rajiv/-

(Jitendra Mohan Sharma, J.)

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