

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22301 of 2018

Arising Out of PS.Case No. -35 Year- 2017 Thana -SHAKURABAD District- JEHANABAD

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1. Binod Singh, son of Late Mahendra Singh,
2. Surjit Singh, son of Binod Singh, Both resident of Village- Sareya, P.S.-
Shakurabad, District- Jehanabad.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-04-2018

At the outset, it is submitted by the learned counsel
for the petitioners that during pendency of the instant application
petitioner no. 1 Vinod Singh has already been arrested.

In that view of the matter, the application for grant of
pre-arrest bail to the petitioner no.1 is dismissed as infructuous.

Heard learned counsel for the petitioner no.2, learned
counsel for the State and perused the impugned order passed by
the learned Sessions Judge, Jahanabad.

The petitioner seeks pre-arrest bail in connection
with Shakurabad P.S. Case No.35 of 2017 registered under
Sections 147, 148, 149, 323, 324, 307, 379, 504, and 506 of the
Indian Penal Code.



Arguing the case of petitioner no.2 for grant of pre-arrest bail, learned counsel for the petitioner submitted that the instant case has been instituted in retaliation to Shakurabad P.S. Case No.33 of 2017 registered on the basis of statement made by petitioner no.1. It is submitted that even in the present case the injury report suggests that the informant had sustained only simple injury.

On the other hand, learned counsel appearing for the State submitted that there is allegation against the petitioner that he assaulted with 'fasuli' upon the head of the informant causing serious injury. He submitted that the learned Sessions Judge has recorded in the impugned order that the petitioner is accused in four other cases and has been convicted in Shakurabad P.S. Case No.46 of 2014.

Having considered the rival submissions, I am not inclined to grant pre-arrest bail to the petitioner. No.2. His application for bail is rejected.

(Ashwani Kumar Singh, J.)

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