

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43018 of 2018

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Ram Muni Paswan, S/o Ramgobin Paswan, R/o Vill.- Bheria P.S.- Ara
Muffasil, Distt.- Bhojpur. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, App

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Ara (M) P.S. Case No. 150 of 2018 registered under
Sections 147, 148, 341, 323, 504, 307, 337 and 427 of the Indian
Penal Code.

It is submitted by the learned counsel for the
petitioner that save and except Section 307 of the Indian Penal
Code all other sections under which the first information report
has been lodged are bailable in nature. It is further stated that a
dispute had arisen between the parties, who are neighbours and
as per F.I.R. the petitioner is said to have assaulted with *lathi* to
the son of the informant for which a case under section 307 of
the Indian Penal Code has been registered, but from perusal of
the first information report itself, it would transpire that there



was no intention to kill the son of the informant and there is no allegation of repetition of any blow. Since there was no intervening circumstance had there been an intention to kill, the petitioner would have certainly repeated the blow. Referring to the order passed by learned Sessions Judge whereby the application for grant of pre-arrest bail of the petitioner has been rejected, it has been submitted that the injuries sustained by the injured persons were all simple in nature.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara (M) P.S. Case No. 150 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/SkSuman.

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