

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.582 of 2018

Arising Out of PS.Case No. -100 Year- 2017 Thana -PAKRIDAYAL District- EAST CHAMPARAN
(MOTIHARI)

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1. Madhurendra Singh @ Madhranjan Singh, S/o Lt. Ram Lagan Singh,
2. Pawan Singh, S/o Lt. Ram Lagan Singh,
3. Munindra Singh @ Muninand Singh, S/o Ram Ayodhya Singh,
All resident of Village- Dhanougi, P.S.- Pakridayal, Dist- East Champaran.
.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Pakridayal P.S. Case No. 100 of 2017 registered under
Sections 147, 148, 149, 323, 324, 325, 307, 504 and 506 of the
Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that though the petitioners are named in the FIR,
there is no allegation against them. In the FIR, it is also not



alleged that they were armed with any weapon at the time of occurrence. He submitted that though the occurrence is alleged to have taken place on 25.06.2017, the first information report was instituted after two days on 27.06.2017 and no reasonable explanation has been given for the delay caused in institution of the FIR. Further, it is submitted that there is counter case, which was instituted on the date of occurrence itself on 25.06.2017 and four persons from the side of accused had sustained injuries in the incident. It is also submitted that the injuries sustained by Amrendra Kumar Singh, Ram Nagina Singh and Prince Kumar from the side of the prosecution were all found simple in nature, which would reflect from the order passed by the court below.

Learned counsel for the State admitted that the petitioners are not alleged to have participated in assault in any manner. He contended that the allegation of assault in the FIR is against co-accused Krishnandan Singh, Awadhesh Singh and Niraj Singh.

Regard being had to the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are 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, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 100 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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