

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29822 of 2018

Arising Out of PS.Case No. -250 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

- =====
1. Fudar Sah @ Fudar Sahu,
 2. Chandeshwari Sah,
Both Sons of late Bichkun Sah.
 3. Rajendra Sah, Son of Banarsi Sah.
 4. Lalit Sah, Son of Fudar Sah,
All resident of Village- Bhtauni, P.O & P.S.- Bakhtiyarpur, District-
Saharsa.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Advocate

For the Opposite Party/s : Md. Ansarul Haque, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection
with Simri Bakhtiyarpur P. S. Case No. 250 of 2017 registered
under Sections 147, 148, 149, 341, 323, 324, 379, 307 and 540
of the Indian Penal code.

It is submitted by the learned counsel for the
petitioners that the petitioner no. 2 has already been arrested.

In that view of the matter, the application for grant
of pre-arrest bail on behalf of petitioner no. 2, namely,
Chandeshwari Sah is rejected.



As far as other petitioners are concerned, it is submitted that there is case and counter case and from the order impugned itself, it would reflect that allegation against the petitioner is general and omnibus and the injuries sustained by the members of the prosecution party were all simple except one which was also on non-vital part of the body.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioners.

Considering the facts and circumstances of the case and the submission made above, the petitioner nos.1, 3 and 4, namely, Fudar Sah @ Fudar Sahu, Rajendra Sah, and Lalit Sah 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 learned Chief Judicial Magistrate, Saharsa in connection with Simri Bakhtiyarpur P.S. Case No. 250 of 2017 subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

Kanchan/-

U		T	
---	--	---	--

