

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63051 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -TISIAUTA District- VAISHALI(HAJIPUR)

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1. Achandev Ray, S/o Rajendra Ray,
2. Jawahar Ray, S/o Late Julum Ray, Both resident of Vill.- Laxmi
Narayan Pur, P.S.- Tisiauta, Dist.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Kumar, Advocate

For the Opposite Party/s : Mr. Ahtash Ali Khan, APP

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER**

2 30-01-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection
with Tisiauta P.S. Case No. 36 of 2017, registered for the offences
punishable under Sections 147, 149, 341, 323, 326, 307, 354, 379,
504,506 of the Indian Penal Code.

At the very outset, it is submitted that in this case
similarly situated co-accused Mithilesh Ray and Indresh Ray have
been allowed pre-arrest bail in Cr. Misc. No. 1562 of 2018 and as
such the petitioners also deserve sympathetic consideration.

There is case and counter case, the petitioners side
lodged the Tisiauta P.S. Case No. 35 of 2017 on 25.06.2017 for
the occurrence of 23.06.2017 leveling accusation under Sections
147,148,149,341,325,324,323,508,504,448,380,307, whereas, the



present case has been lodged on 26.06.2017 at 4.30 pm. The injury has been found to be simple in nature. The petitioner's side also received injury. Moreover, in case lodged by the petitioner, the informant side have been granted pre-arrest bail by a coordinate bench of this court vide order dated 03.11.2017 passed in Cr. Misc. No. 51049 of 2017 and the petitioners have got no criminal antecedent.

Learned APP fairly submits that co-accused Mithilesh Ray and Indresh Ray have already been granted pre-arrest bail in this case.

In the facts and circumstances stated above, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate -IX, Vaishali at Hajipur, in connection with Tisiauta P.S. Case No. 36 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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