

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.475 of 2018

Arising Out of PS.Case No. -227 Year- 2017 Thana -MADANPURA District- AURANGABAD

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1. Satyendra Singh, son of Late Mathura Singh
 2. Mithilesh Singh
 3. Rajesh Singh

Both are sons of Satyendra Singh, resident of Village- Parsawan, P.S. Madanpur, District- Aurangabad (Bihar).

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Pranav Kumar, 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 Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with Madanpur P. S. Case No.227 of 2017 registered under Sections 341, 323, 308, 504 and 506/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that no injury caused by sharp edged weapon was found on the person of the injured and all sections, except Section 308 of the Indian Penal Code are bailable. It is further submitted that the nature of injury caused to the injured from the injury report would make it manifest that the ingredients of the



offence punishable under Section 308 of the Indian Penal Code are not attracted.

On the other hand, learned Additional Public Prosecutor for the State submitted that there are serious allegations in the FIR and only because the injuries are simple, it cannot be said that no case under Section 308 of the Indian Penal Code is made out.

Be that as it may, taking into consideration the facts and circumstances of the case, as also the submission made in paragraph-3 of the application that the petitioners have got no criminal antecedent, they 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, Aurangabad in Madanpur P. S. Case No.227 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.)

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