

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.581 of 2018

Arising Out of PS.Case No. -576 Year- 2017 Thana -BIHTA District- PATNA

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Vikash Yadav, Son of late Mahavir Prasad, Resident of Village-Khedalpura,
Police Station-Bihtta, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Kant Kumar, Advocate

For the Opposite Party/s : Mr. Manish Kumar- 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

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

The petitioner seeks pre-arrest bail in connection
with Bihta P.S. Case No. 576 of 2017 registered under Sections
341, 323, 324 and 307 read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that from perusal of the order dated 25.11.2017
passed by the learned Additional Sessions Judge-7th, Danapur
by which the petitioner's application for grant of pre-arrest bail
was rejected, it would transpire that the injuries on the person
were simple and superficial. He submitted that all the offences



except Section 307 of the Indian Penal Code are bailable in nature and in the light of the allegation made in the FIR, the ingredients of the offence punishable under Section 307 of the Indian Penal Code are not attracted.

On the other hand, learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner. He submitted that though the injuries were found simple, the same were caused on vital part of the body.

Be that as it may, 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 Additional Chief Judicial Magistrate at Danapur, Patna in connection with Bihta P.S. Case No. 576 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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