

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1188 of 2018

Arising Out of PS.Case No. -182 Year- 2017 Thana -GHOSI District- JEHANABAD

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1. Sita Ram Bind S/o Gulab Bind,
 2. Ramji Bind S/o Sita Ram Bind,
 3. Rajju Bind S/o Sita Ram Bind,

All above three mentioned persons are R/o Dumri Tola, Delwa Bigha,
P.S.- Ghosi, Distt.- Jehanabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 19-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Ghosi P. S. Case No.182 of 2017 registered under Sections 147,
148, 149, 447, 341, 323, 325, 337, 504 and 307 of the Indian Penal
Code.

Learned counsel for the petitioners submitted that
there is case and counter case. In the counter case, accused persons
have already been granted pre-arrest bail by this Court vide order
dated 09.11.2017 passed in Cr. Misc. No. 50561 of 2017. He
submitted that the petitioners are agnates of the informant and in
free fight between the parties, members from both sides sustained



injuries. However, subsequent to the alleged incident, the parties have tried to amicably settle their dispute. He submitted that the members of the prosecution party were aggressors and in order to defend themselves the petitioners had also took some steps as a result of which some members of the prosecution party also sustained injuries. He submitted that in the present case, ingredients of the offence punishable under Section 307 of the Indian Penal Code would not be attracted. He submitted that the petitioners do not have any criminal antecedent.

Regard being had to the submissions made above, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above 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, Jehanabad in Ghosi P. S. Case No.182 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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