

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.966 of 2018

Arising Out of PS.Case No. -170 Year- 2017 Thana -KHAJEKALLAN District- PATNA

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1. Kundan @ Kundan Kumar, Son of Madan Singh @ Madan Mohan Singh

2. Deepak @ Deepak Kumar, Son of Shankar Ray,

Both resident of Mohalla- Gurhatta, P.S.- Khajekalan, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 16-01-2018

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Khajekalan P.S. Case No. 170 of 2017 registered under
Sections 341, 323, 504, 307 and 506 read with 34 of the Indian
Penal Code.

It is submitted by the learned counsel petitioners that
even if the entire allegations made in the FIR are taken to be true
in the light of the fact that the injured Rakesh Kumar sustained
only simple and superficial injuries and no lethal weapon was



used, the ingredients of the offence punishable under Section 307 of the Indian Penal Code would not attracted and the other sections alleged in the FIR are all bailable in nature.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the allegations made in the FIR and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners 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 the learned S.D.J.M., Patna City in connection with Khajekalan P.S. Case No. 170 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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