

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43118 of 2018

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1. Chotu Sahani,
2. Dukha Sahani,
3. Bhutuk Sahani,
 All sons of Late Phuni Sahani
4. Munakiya Devi, wife of Late Phuni Sahani,
 All residents of village- Chit Bhagwatipur, P.S.- Ahiyapur,
 District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the State : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners have renewed their prayer for grant of pre-arrest bail in connection with Ahiyapur P.S. Case No.172 of 2014 registered for the offences punishable under Sections 341, 323, 307, 379, 452, 467, 468 and 120B/34 of the Indian Penal Code. The prayer for grant of pre-arrest bail of the petitioners was earlier rejected by this Court vide order dated 23.12.2016 passed in Cr. Misc. No.53395 of 2016.

A plea has been taken that subsequent to the rejection of the prayer for grant of pre-arrest bail, the parties have amicably



settled their dispute and the informant does not want to prosecute the petitioners.

In the opinion of this Court, the plea taken by the petitioners cannot be a ground for re-consideration of pre-arrest bail in view of the fact that the offences alleged are not compoundable in nature. The factum of compromise may be a relevant ground for consideration at a subsequent stage on the point of sentence in a case under Section 307 of the Indian Penal Code, but the same would not be a ground for re-consideration of pre-arrest bail which has already been rejected.

In that view of the matter, I see no merit in this application. It is dismissed accordingly.

(Ashwani Kumar Singh, J)

Md.S./-

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