

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65504 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- AGIAON District- Bhojpur

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1. Dinesh Singh Son of Deep Narayan Singh
 2. Gama Singh Son of Late Nand Kishore Singh
 3. Patha Singh son of Bhimal Singh
 4. Nandjee Singh son of Mudrika Singh
 5. Harendra Singh son of Nandjee Singh
 6. Bhuteshwar Singh son of Badri Singh
 7. Rajesh Rai son of Hargun Singh All Resident of Village-Isarpura,P.S. Agiaon (G) Distt.-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha
For the Opposite Party/s : Mr. Sri Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-12-2018 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Agiaon (G) PS Case No. 47/2018 for the offence under Sections 341, 323, 504, 506, 147, 149, 307 and 325 of the Indian Penal Code.

In this case, case diary was called for. Learned APP on the basis of the case diary submits that there is no specific allegation of assault against any of the accused persons, much less the petitioners. He submits that there is allegation of omnibus character.

Learned counsel for the petitioners submits that the



parties have entered into a compromise but since this is a case under Section 307 IPC he is not placing much reliance on the compromise.

Considering the totality of the fact situation that compromise may not be relevant in a case for offence which is not compoundable as also the fact that the petitioners have no criminal antecedent and only the allegation is of omnibus nature, this application is allowed.

Accordingly, in the event of arrest or surrender before the court below within a period of one month from today, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VII, Bhojpur at Ara in connection with Agiaon (G) PS Case No. 47 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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