

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35766 of 2018

Arising Out of PS.Case No. -22 Year- 2018 Thana -NARHAT District- NAWADA

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1. Kundan Rajbanshi, S/o Arjun Rajbanshi,
2. Kapil Rajbanshi, S/o Arjun Rajbanshi,
Both resident of Village- Sitamarhi, P.S.- Narhat (Sitamarhi), District-
Nawada.

.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Narhat (Sitamarhi) P.S. Case No. 22 of 2018 registered
under Sections 147, 323, 341, 447, 448 and 307 of the Indian
Penal Code.

It is submitted by the learned counsel for the
petitioner that save and except section 307 of the Indian Penal
Code all other sections of the Indian Penal Code under which the
first information report has been instituted are bailable in nature.



So far as section 307 of the Indian Penal Code is concerned, the same has been levelled by the police only in order to make the offence serious, as both the injured have sustained only simple and superficial injuries and that too not by any deadly weapon.

On the other hand, learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the submissions made above as also the injury reports of the injured Gulab Devi and Punam Devi annexed to the present application as Annexure-2, 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 Additional Chief Judicial Magistrate-V, Nawada in connection with Narhat (Sitamrhi) P.S. Case No. 22 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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