

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18499 of 2018

Arising Out of PS.Case No. -326 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Vinod Sah, S/o Late Ramdev Sah,
2. Deepak Kumar,
3. Raushan Kumar,
Both Sons of Vinod Sah,
4. Indu Devi W/o Binod Sah,
All are R/o Village- Jhitkahiya , P.S.- Bathnaha, District- Sitamarhi.
.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Dr. Indivar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Bathnaha P.S. Case No. 326 of 2017 registered under
Sections 341, 323, 379, 354, 504 and 506 read with 34 of the
Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that the instant FIR has been instituted by the
informant in retaliation to Bathnaha P.S. Case No. 322 of 2017
instituted on 28.10.2017 on the basis of the written report



submitted by petitioner no.1 against the informant and others. It is further submitted that petitioner no.1 happens to be brother of the informant and on account of land dispute, the instant case has been instituted. It is also contended that no injury was caused to anyone and the offences under Sections 354 and 379 of the Indian Penal Code are super-addition.

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

Considering the nature of allegation and the submissions made above as also the relationship of the petitioners with the informant, 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 Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 326 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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