

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76433 of 2019

Arising Out of PS. Case No.-638 Year-2018 Thana- JAMUI District- Jamui

1. Anup Pal @ Anup Kumar Son of Baleshwar Pal Resident of Village- Borar, P.S.- Jamui, District- Jamui
2. Rupesh Pal S/o Arjun Pal Resident of Village- Borar, P.S.- Jamui, District- Jamui.
3. Vikram Kumar Son of Dilip Bhagat Resident of Village- Gulzarbagh, P.S.- Mehdiganj, District- Patna.
4. Anjani Kumari D/o Baleshwar Pal Resident of Village- Borar, P.S.- Jamui, District- Jamui
5. Baleshwar Pal S/o Late Sital Pal Resident of Village- Borar, P.S.- Jamui, District- Jamui.
6. Arjun Pal Son of Late Sital Pal Resident of Village- Borar, P.S.- Jamui, District- Jamui.
7. Vikas Pal Son of Kapil Pal Resident of Village- Gehlaur, P.S.- Sikandra, District- Jamui.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan
For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 22-06-2020 Heard learned counsel for the petitioners and learned counsel for the State via video conferencing.

The petitioners have filed the present application for grant of pre-arrest bail in connection with Jamui P.S. Case No. 638 of 2018 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427, 354B, 504 and 506 of the Indian Penal Code.



It is contended by the learned counsel for the petitioners that the occurrence has not taken place in the manner alleged rather on 08.12.2018 at 11:00 a.m., the informant of the instant case along with other accused persons entered into the house of Baleshwar Pal (petitioner no. 5) and assaulted him and his family members, for which Jamui P.S. Case No. 634 of 2018 has been registered on 08.12.2018 itself *inter alia* under Section 307 of the Indian Penal Code. In the said FIR, it has been alleged that the informant of the present case armed with sword assaulted Aarti Kumari and Anjani Kumari (petitioner no. 4) causing head injury and Ravi Pandit (son of the informant) assaulted Bhuneshwar Pal on the head from the butt of the pistol causing head injury. Further, the informant assaulted the petitioner no. 1 Anup Pal with a sword causing finger injury and Puja Kumari (daughter of the informant) assaulted Bhuneshwar Pal with iron rod. He contended that in retaliation to the said case, the instant case was instituted subsequently on 09.12.2018, making false allegation of assault and outraging modesty against the petitioners.

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

Regard being had to the submissions advanced and



the materials on record, the petitioners having no criminal antecedent are directed to be released on bail in the event of their arrest or surrender before the court below, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui in connection with Jamui P.S. Case No. 638 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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