

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19227 of 2023

Arising Out of PS. Case No.-686 Year-2022 Thana- BIHAR District- Nalanda

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1. Bindu Kumar @ Bindu Prasad Son of Sukhdev Yadav Resident of Vill.- Nakatpura, Post - Bihar Sharif, P.S.- Bihar Sharif, District - Nalanda, Bihar.
 2. Mithlesh Kumar Son of Sukhdev Yadav Resident of Vill.- Nakatpura, Post - Bihar Sharif, P.S.- Bihar Sharif, District - Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar Verma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-06-2023 Heard Mr. Gaurav Kumar Verma, learned counsel for
the petitioners and Mr. Binod Kumar, learned APP for the State.

The petitioners apprehend their arrest in connection with Bihar P.S. Case No. 686 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 337 and 307 of the Indian Penal Code.

Allegedly, on account of trifling issue, both the petitioners and the informant side entered into a verbal duel and subsequently free fight took place resulting into injuries of persons of both the sides.

Learned counsel for the petitioners submits that there is general and omnibus allegation against all the accused



persons and no specific allegation has been attributed against the petitioners, apart from the fact that the present case is nothing but a counter blast to the Bihar P.S. Case No. 685 of 2022, lodged by Vikash Kumar, who has also sustained injuries. He further submits that from the FIR, it is evident that the reason for occurrence does not suggest that the petitioners are habitual offenders, inasmuch as they are having fair antecedent. He next submits that the petitioners and the informant are neighbours and the petitioners are ready to undertake that they will not indulge in such type of activities/occurrence in future and fully cooperate in the investigation.

On the other hand, learned counsel for the State opposes the pre-arrest bail application of the petitioners and submits that the informant and others have sustained injuries and the nature of injuries is still reserved.

Regard being had to the submissions made on behalf of the parties and considering the omnibus allegation and the fair antecedent of the petitioners as also the case and counter case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of learned C.J.M., Nalanda, Bihar Sharif in connection with Bihar P.S. Case No. 686 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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