

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22614 of 2023

Arising Out of PS. Case No.-355 Year-2021 Thana- GAYA MUFASIL District- Gaya

SATENDRA PRASAD @ SATENDRA YADAV SON OF LATE BADHAN
YADAV RESIDENT OF VILLAGE- MASAUDHA, PS- MUFFASSIL,
DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Ms. Rashmi Sharma, learned counsel appearing
on behalf of the petitioner and Mr. Pradeep Narain Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Gaya Muffassil P.S. Case No. 355 of 2021 registered for
the offence punishable under Sections 147, 149, 341, 323, 504,
506, 325, 307 and 379 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per the allegation made in the F.I.R., the accused
persons named in the F.I.R. variously armed started abusing the
son of the informant and assaulted him with khanti which
caused injury on his right hand. Allegation against the petitioner
is that he assaulted another son of the informant by axe which is
a sharp edged agricultural instrument and he sustained injury on
his head.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in the case. From opinion of the doctor, it appears that the injury is caused by hard and blunt substance, however injury is grievous in nature, so it cannot be attributed that it is the petitioner who had caused injury on the head of the son of the informant. Other co-accused have been enlarged on bail by this Court.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the nature of allegation made against the petitioner as well as the fact that the injury sustained as alleged has been caused by hard and blunt substance to the another son of the informant, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 355 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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