

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25244 of 2023

Arising Out of PS. Case No.-547 Year-2022 Thana- RAJAON District- Banka

1. Balram Pd. Sharma @ Balram Sharma, Male, aged about 61 years, Son Of Ganesh Prasad Sharma @ Ganesh Sharma
2. Manoj Kumar @ Rishi @ Rishi Sharma, Male, aged about 23 years, Son Of Balram Pd. Sharma @ Balram Sharma
Both are Resident Of Village - Dhobidih, P.O. - Singhnan, P.S. - Rajoun, Distt. - Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandrasekhar Sharma, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-07-2023 Heard Mr. Chandrasekhar Sharma, learned counsel appearing on behalf of the petitioners and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Rajoun P.S. Case No. 547 of 2022 registered for the offence punishable under Sections 341, 323, 379 and 504/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that petitioners along with other accused persons named in the FIR had assaulted the informant by means of lathi and iron rod and had snatched away Rs. 7,000/- from his pocket and a silver chain.

4. Learned counsel appearing on behalf of the



petitioners submitted that there is case and counter case arising out of the same incidence. Petitioners are the brother of the informant. Injury is simple in nature. On these grounds, petitioners seek to be released on bail.

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

6. Considering the nature of allegation made against the petitioner as well as the fact that there is case and counter case between the parties. Injury is simple in nature. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka in connection with Rajoun P.S. Case No. 547 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/Nilmani

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