

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32921 of 2023

In
CRIMINAL MISCELLANEOUS No.2378 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

1. SHIV KUMAR @ ROHIT KUMAR son of Pramod Pasi VILLAGE- SAHUKA , P.S.-RAMGARH, DISTRICT-KAIMUR AT BHABUA
2. Vinod Pasi @ Vinod Kumar son of Babulal Pasi VILLAGE- SAHUKA , P.S.-RAMGARH, DISTRICT-KAIMUR AT BHABUA
3. Lallu Pasi @ Raj Kumar Pasi son of Babulal Pasi VILLAGE- SAHUKA , P.S.-RAMGARH, DISTRICT-KAIMUR AT BHABUA
4. Bharat Pasi son of Rajnath Pasi VILLAGE- SAHUKA , P.S.-RAMGARH, DISTRICT-KAIMUR AT BHABUA
5. Mukesh Pasi @ Mukesh Kumar son Ram Ashish Pasi VILLAGE- SAHUKA , P.S.-RAMGARH, DISTRICT-KAIMUR AT BHABUA
6. Radheshyam Pasi @ Murli Pasi son Babulal Pasi VILLAGE- SAHUKA , P.S.-RAMGARH, DISTRICT-KAIMUR AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-06-2023 This application has been filed for modification of order dated 27.03.2023 passed in Cr. Misc. No. 2378 of 2023 whereby the prayer for pre-arrest bail of Petitioner No. 4 Bharat Pasi son of Rajnath Pasi has been rejected.

It is submitted by learned counsel for the petitioner that in the F.I.R there are two accused persons with similar name. One is Accused No. 2 (Bharat Pasi son of unknown and



other is Accused No. 8 (Bharat Pasi son of Rajnath Pasi). Prayer for anticipatory bail of accused No. 2 Bharat Pasi son of unknown has already been dismissed as withdrawn vide order dated 22.05.2023 passed in Cr. Misc. No. 8995 of 2023, whereas Accused No. 8 Bharat Pasi son of Rajnath Pasi is petitioner No. 4 in the instant case. From perusal of the F.I.R, it is apparent that there is specific allegation against accused No. 2 Bharat Pasi son of unknown of giving dagger blow whereas there is general and omnibus allegation of committing maarpit against accused No. 8 Bharat Pasi son of Rajnath Pasi (Petitioner No.4) in the instant case.

Learned counsel for the State does not controvert the submission for the learned counsel for the petitioners.

In view of the aforesaid facts and circumstances of the case, the order dated 27.03.2023 passed in Cr. Misc. No. 2378/2023 is modified, in the event of arrest or surrender within six weeks from today, let the petitioner No. 4 Bharat Pasi son of Rajnath Pasi , as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, sub-divisional court Mohania, Kaimur at Bhabua in connection with Ramgarh P.S. case no 368 of 2022,



subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

The order dated 27.03.2023 passed in Cr. Misc. No. 2378 of 2023 is modified to the extent indicated above.

(Prabhat Kumar Singh, J)

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