

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32177 of 2023

Arising Out of PS. Case No.-112 Year-2022 Thana- JIRADEI District- Siwan

1. VISHWANATH BIN @ BISNATH BIN SON OF LATE SHIVNATH BIN
RESIDENT OF VILLAGE- MUKUNDPUR BIN TOLI, PS- ZIRADEI,
DISTT- SIWAN
2. MANISH KUMAR @ MUKESH KUMAR SON OF LALAN BIN
RESIDENT OF VILLAGE- MUKUNDPUR BIN TOLI, PS- ZIRADEI,
DISTT- SIWAN
3. DUDHNATH BIN SON OF LATE SHIVNATH BIN RESIDENT OF
VILLAGE- MUKUNDPUR BIN TOLI, PS- ZIRADEI, DISTT- SIWAN
4. ACCHELAL BIN SON OF LATE SHIVNATH BIN RESIDENT OF
VILLAGE- MUKUNDPUR BIN TOLI, PS- ZIRADEI, DISTT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-07-2023 Heard Mr. Ajay Kumar Tiwary, learned counsel

appearing on behalf of the petitioners and Mr. Surendra Kumar,

learned APP for the State.

2. It is informed by learned counsel appearing on
behalf of the petitioners that during the pendency of the bail
application, petitioner no.3 has been arrested. Accordingly, the
bail application on behalf of petitioner no.3 is dismissed as
withdrawn.

3. The petitioner Nos. 1, 2 and 4 seek pre-arrest bail in
connection with Ziradei P.S. Case No. 112 of 2022 registered for



the offence punishable under Sections 341, 323, 307, 354, 504 and 506/34 of the Indian Penal Code.

4. Prosecution story, in brief, is that the accused persons armed with weapons reached at the door of the informant and started pressurizing her to withdraw Ziradei P.S. Case No. 67 of 2022 and on objection, petitioner Manish Kumar gave rod blow on the head of Ramesh Bin and he received head injury. Thereafter, petitioner Vishwanath Bin attacked on the back of Kanhaiya Bin by iron pipe. Petitioners Dudhnath Bin and Acchelal Bin assaulted Rajendra Bin by *Lathi-Danda*, as a result of which, he sustained injury on his right hand and Chhathiya Devi, Kamlawati Devi and Suman Devi assaulted the informant and Chhathiya Devi by *Labda*.

5. Learned counsel appearing on behalf of the petitioners submitted that the petitioners have falsely been implicated in the case. There is case and counter case between the parties. The petitioners in their self-defence might have caused injury to the informant's side which was not intentional.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

7. Considering the nature of allegation, the petitioner nos. 1, 2 and 4 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 Additional Chief Judicial Magistrate-VIII, Siwan in connection with Ziradei P.S. Case No. 112 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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