

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32661 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- PHULWARIA District- Begusarai

1. Rina Devi (F), aged about 38 years, W/O Santosh Choudhary
 2. Nitish Kumar (M), aged about 22 years, son of Santosh Choudhary
- Both are resident of Village- Phulwariya 03, (Tara Adda), Ward No. 02,
Barauni Nagar Parishad , Police Station- Phulwariya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-07-2023 Heard Mr. Mr. Sarvottam Kumar, learned counsel
appearing on behalf of the petitioners and Mr. Nirmala Kumari,
learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Phulwaria P.S. Case No. 15 of 2023 registered for the
offence punishable under Sections 341, 323, 325, 307, 379,
354(B) and 34 of the Indian Penal Code.

3. The allegation is that the husband of the informant
had resisted the accused persons named in the FIR not to oust
the mother-in-law of the informant and upon resisting, the



accused persons named in the FIR had overpowered him and tried to kill him by means of throttling.

4. Learned counsel appearing on behalf of the petitioners submitted that there is no specific allegation has been made against the petitioners. No injury has been found on the neck of the husband of the informant. There is simple injury on the head of the husband of the informant. On these grounds, petitioners seek to be released on pre-arrest 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. No injury has been found on the neck of the husband of the informant. There is simple injury on the head of the husband of the informant. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on 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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M,-1st, Begusarai in



connection with Phulwariya P.S. Case No. 15 of 2023, 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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