

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39397 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- DAUDPUR District- Saran

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| 1. | Sanjay Prasad Son Of Dev Kumar Prasad Resident Of Village- Saryupar P.S. Daudpur Dist Saran |
| 2. | Rahul Prasad Son Of Umashankar Prasad Resident Of Village- Saryupar P.S. Daudpur Dist Saran |
| | Petitioners |

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners are apprehending arrest in connection with Daudpur P.S. Case No. 45 of 2022 registered for the offence punishable under Section 147, 148, 149, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. Prosecution case is that that these petitioners are the organizer of the Puja. At the venue of Puja, some obscene music and songs were being played, which was objected by the informant, whereafter all the FIR named accused persons including these petitioners and 10 to 15 unknown persons surrounded the informant and assaulted the informant side by means of lathi, iron rod, etc. causing them injuries. Petitioner no.2 is also alleged to have made firing.

4. It is submitted by petitioners that for the same occurrence, there is case and counter case. Doctor has found simple injury. Though there is allegation of firing against petitioner no.2, but there is no such injury report on the record to support



the allegation of firing. Co-accused Rajesh Prasad, with similar allegation, has already been allowed pre-arrest bail by a co-ordinate bench of this Court vide order passed in Cr.Mis.No. 29810/2023.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Saran at Chapra in Daudpur Police Station Case No. 45 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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