

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35065 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. MANISH SINGH S/O UMASHANKAR SINGH R/O Village-
Khanjahanpur, Ward No. 9, P.S- Cheriya Baiyarpur, Distt.- Begusarai.
 2. Rajesh Kumar @ Nandan Yadav S/O Pramod Yadav R/O Village-
Khanjahanpur, Ward No. 9, P.S- Cheriya Baiyarpur, Distt.- Begusarai.
 3. Ravish Kumar S/O Anjani Singh R/O Village- Khanjahanpur, Ward No. 9,
P.S- Cheriya Baiyarpur, Distt.- Begusarai.
 4. Nitish Kumar S/O Rajesh Mahto R/O Village- Khanjahanpur, Ward No. 9,
P.S- Cheriya Baiyarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad, Advocate

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-07-2023 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners are apprehending their arrest in
connection with Bariyarpur P.S. Case No.103 of 2022 registered
for the offence punishable under Sections 341, 323, 324, 379,
354, 504, 506/34 of the Indian Penal Code and added Section
307 of the I.P.C.

3. The prosecution case is that the petitioners have
misbehaved with the daughter of the informant and dragged her.
On objection by the son of the informant, they have also



assaulted him.

4. The learned counsel for the petitioner submits that the petitioners were allowed police bail. The nature of injury does not support the commission of offences under Section 307 of the IPC. Merely because the court has taken cognizance of offence under Section 307 of IPC, the petitioners are apprehending their arrest again whereas earlier they had been granted police bail.

5. Learned APP has opposed the prayer for pre-arrest bail.

6. Considering the rival submissions, the fact that petitioners were earlier on police bail, nature of injuries vis-a-vis general and omnibus allegations, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

7. Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released 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 the learned A.C.J.M., Manjhaul, in connection with Bariyarpur P.S. Case No.103 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also



subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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