

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40027 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- DIGHWARA District- Saran

1. JITENDRA KUMAR RAI @ JITENDRA RAI Son of Late Brahmdeo Rai R/o Village - Aami Chouhani Patty, P.S.- Dighwara, Dist.- Saran at Chapra.
2. Ganouri Rai @ Bindeshwar Rai @ Bindesh Kumar Rai Son of Tuntun Rai Resident of village - Dharipur, P.S.- Awatar Nagar, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tej Pratap Singh, Adv.
For the State	:	Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Tej Pratap Singh, learned counsel appearing on behalf of the petitioners and Ms. Renu Kumari, learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Dighwara P.S. Case No. 310 of 2022, dated 14.09.2022, registered under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution story, the informant and the petitioners side are pattidar and on account of previous enmity they committed offence and in course of incident both the parties have received injury on each other. Case and counter case was lodged by both the parties arising out of the same



incident.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and in their self-defence they may have caused injury in course of fighting between both the parties. The mother of petitioner no. 1 was brutally injured in the same incident.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation as well as the fact that both the parties are pattidar and both of them have previous enmity with each other, the petitioners in course of their self-defence may have caused injury on the person of the informant's side, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned 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 A.C.J.M.-II, Saran at Chapra in connection with Dighwara P.S. Case No. 310 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners



are involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will automatically loose its force.

(Purnendu Singh, J)

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