

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40165 of 2023

Arising Out of PS. Case No.-55 Year-2017 Thana- SIGAUDI District- Patna

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Hira Yadav, Gender-Male, aged about 43 years, Son of Late Mahavir Yadav,
Resident of Village- Devariya, P.S.- Sigori, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Parashuram Singh, learned counsel

appearing on behalf of the petitioner and Mr. Dilip Kumar No.

1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sigori P.S. Case No. 55 of 2017 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 504, 338
and 353 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named in the FIR including the petitioner had attacked
the police force and injured two constables.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. From the allegation made in the FIR it appears that there is general an omnibus allegation has been made against the petitioner. Petitioner had not pelted stone on the police force. Petitioner has clean antecedent. On these grounds, petitioner seeks 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 in the FIR, there is general and omnibus allegation has been made against the petitioner. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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 ACJM 5th, Danapur, Patna, in connection with Sigori P.S. Case No. 55 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of



the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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