

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46859 of 2023**

Arising Out of PS. Case No.-252 Year-2022 Thana- TARAIYA District- Saran

1. Munna Singh @ Radheshyam Singh, aged about 55 years, male, Son of Kedar Singh @ Kedar.
  2. Rakesh Kumar Singh @ Rakesh Singh, aged about 40 years, Son of Kedar Singh @ Kedar.
  3. Sachin Singh, aged about 20 years, male, Son of Mukesh Singh.
  4. Ankit Singh, aged about 22 years, male, Son of Munna Singh @ Radheshyam Singh
- All are resident of village - Deioriya, P.O. and P.S. - Taraiya, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate  
For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-08-2023                      Heard Mr. Jeetendra Narayan, learned counsel appearing on behalf of the petitioners and Mr. Amitesh Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Taraiya P.S. Case No. 252 of 2022 dated 21.07.2022 registered for the offence punishable under Sections 341, 323, 325, 354, 379 read with Section 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the informant, who is Anganbadi Sevika has alleged that the petitioners along with one Mukesh Singh had demanded



extortion money and threatened of dire consequence to the informant. Husband of the informant had resisted the same and in course of the said incidence, he had sustained injury on his right leg. The allegation of assault is against co-accused Mukesh Singh. The allegation against the petitioners is of snatching of gold chain from the neck of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that the incidence took place on 21.07.2022 with suspect to certain money transaction in which the petitioners were brutally assaulted by the informant side and they were taken to hospital and during treatment his fard-beyan was recorded and Taraiya P.S. Case No. 267 of 2022 was registered on 30.07.2022. Learned counsel further submitted that injury caused on the body of the husband of the informant cannot be said to be intentional as the same may have been caused in self defence without any intention. Petitioners no. 1 and 2 have clean antecedent and petitioners no. 3 and 4 are made accused in one case being Taraiya P.S. Case No. 191 of 2022. On these grounds, petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submission made on



behalf of the parties as well as the nature of allegation made in the FIR that both the parties were involved in a spat which resulted into fierce fight. Petitioners have pleaded that in self defence they may have caused some injury and the same was not intentional. 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Saran at Chapra in connection with Taraiya P.S. Case No. 252 of 2022 dated 21.07.2022, 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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