

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 46716 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- BHANGWANPUR HAT District- Siwan

1. Shambhu Ray Son Of Late Raj Rai
2. Maharaj Ray Son Of Late Sahdev Ray
Both Resident of Village- Bhagawanpur Hat, PS- Bhagwanpur Hat, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioners seek pre-arrest bail in connection with
Bhagwanpur P.S.Case No.131/2023, registered for the offences
punishable under Sections 341, 323, 324, 307, 504 & 506/34 of
the Indian Penal Code.

As per the allegation made in the FIR, petitioner no.1
has given *farsa* blow on the head of one Vicky Ray and *tangi*
blow on the head of one Rajesh Ray. Petitioner no.2 has given
lathi blow on the head of the informant.

Learned counsel appearing on behalf of the petitioners
submits that the incident took place on 13.04.2023 and on



16.04.2023, both the parties lodged FIR against each other, as such, there are case and counter case between the parties. Learned counsel further submits that the petitioners may have caused injuries in their self-defence without any intention.

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

Considering the nature of allegation as well as the fact that there are case and counter case between the parties and both the parties have sustained injuries in the said incident and also taking into consideration the submissions made on behalf of the petitioners that the petitioners may have caused injury on the body of the informant and injured person in their self-defence, the petitioners 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.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate I, Siwan in connection with Bhagwanpur P.S. Case No.131 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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