

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46987 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- BARH District- Patna

1. Deepak Kumar @ Pintu Singh, aged about 46 years, Male, son of Mithilesh Singh.
2. Anjany Kumari Singh @ Anjali Devi @ Anjany Singh @ Anjali Singh, aged about 41 years, Female, wife of Deepak Kumar @ Pintu Singh.
Both Residents of Congress Maidan, P.S- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2023 Heard Mr. Deepak Kumar Singh, learned counsel
appearing on behalf of the petitioners and Mr. Jai Narain
Thakur, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Barh P.S. Case No. 175 of 2023 dated 19.03.2023
registered for the offence punishable under Sections 341, 323,
307 and 504/34 of the Indian Penal Code.

3. As per the prosecution story, the petitioners had
assaulted the informant and his family members due to which
the informant and his younger brother Rajeev Kumar had
sustained injury on the vital part of their body.

4. Learned counsel appearing on behalf of the



petitioners submitted that the petitioners and informant are own brother and dispute relates to partition of the dwelling house. The parties were indulged into fierce fight and both the side had sustained injury. It is further submitted that there is case and counter case between the parties arising out of the same incidence. Petitioners may have caused injury to the victim without any intention in their self defence. Petitioners have clean antecedent.

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 as well as the fact that petitioners and informant are own brother and the dispute relates to partition of the dwelling house. There is case and counter case between the parties arising out of the same incidence. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest 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 A.C.J.M. I, Barh,
District- Patna, in connection with Barh P.S. Case No. 175 of
2023 dated 19.03.2023, 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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