

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54959 of 2023

Arising Out of PS. Case No.-419 Year-2022 Thana- SONO District- Jamui

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1. Sudhir Kumar @ Sudhir Yadav (male) aged about 21 years, S/O Indradeo Yadav, resident of Village- Deorukhi, P.S. Sono, District- Jamui
 2. Gopi Yadav (male) aged about 48 yrs, S/O Late Digan @ Digan Yadav R/O Village- Garbhu Adwar, P.S. Khaira, District- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-11-2023 Heard Mr. Rajesh Kumar Sinha, learned counsel appearing on behalf of the petitioners and Mr. Upendra Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Sono P.S. Case No. 419 of 2022 registered for the offence punishable under Sections 341, 323, 307, 447, 307, 379, 354(A), 504 and 506/34 of the Indian Penal Code.

3. Allegation is of assaulting the informant and her son by the nine accused persons named in the FIR including the petitioners.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners. Injury report attached to the case diary reveals that three persons of the informant side had sustained injury, which is found to be simple in nature. Petitioners have clean antecedent. On these grounds petitioners seek to be released on pre-arrest bail.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the injuries sustained by the informant and her son are simple in nature, which may have been caused in course of quarrel. 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 six 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 Judicial Magistrate 1st Class, Jamui, in connection with Sono P.S. Case No. 419 of 2022, 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 petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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