

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58568 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- FATUA District- Patna

1. Bhola Gope @ Balmiki Gope @ Balmiki Kumar S/O Late Bittu Singh
 2. Deepak Kumar S/O Dauni Singh @ Deo Nandan Singh
 3. Sanu Kumar S/O Bhola Gope @ Balmiki Gope @ Balmiki Kumar
 4. Manish Kumar S/O Dauni Singh @ Deo Nandan Singh
 5. Vikash Kumar S/O Dauni Singh @ Deo Nandan Singh
- All the residents of Village- Mirzapur Nohatta, P.S. Fatuha, Dist. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-10-2023 Heard Mr. Harish Kumar, learned counsel appearing on behalf of the petitioners and Ms. Anita Kumari, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Fatuha P.S.Case No.246 of 2023, registered for the offences punishable under Sections 323, 341, 307, 385, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution story, in brief, is that the accused persons including the petitioners came at the house of the informant and demanded Rs.5 lac as *rangdari* but the informant refused to fulfil their demand, thereafter, co-accused, Deepak



Kumar entered into the house of the informant and fired on his daughter-in-law, Mamta Devi, due to which she sustained injury on her left cheek. Another co-accused fired on the informant and made him injured with the '*Butt*' portion of the Pistol.

4. Learned counsel appearing on behalf of the petitioners submits that there is case and counter case between the parties for the same incidence, lodged on the same day, in which injured Mamta Devi has received injury, which is simple in nature. Petitioners have no criminal antecedent.

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

6. Considering the rival submissions made on behalf of the parties and nature of allegation made in the FIR as well as the fact that the accused persons having similar allegation have been released on bail by the learned court below and the injury sustained by the victim Mamta Devi is simple in nature, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned 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 ACJM, Patna City in connection with Fatuha P.S.Case No.246 of 2023,



subject to conditions as laid down under Section 438(2) of the
Cr.P.C.

(Purnendu Singh, J)

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