

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.58323 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- SONEPUR District- Saran

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KUNAL KUMAR @ HAZARI, aged 20 years (M), S/O YADUNATH RAY
R/O VILLAGE- RAHAR DIYARA, P.S- SONEPUR, DISTT.- SARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 11-10-2023 Heard Mr. Ravi Prakash, learned counsel appearing
on behalf of the petitioner and Mr. Rajiv Nayan learned APP for
the State.

2. The petitioner seeks pre-arrest bail in connection
with Sonapur P.S. Case No. 285 of 2022 dated 26.04.2022
registered for the offence(s) punishable under Sections 341, 323,
324, 354, 379, 307, 504, 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons brutally assaulted the informant and when his mother
came to his rescue, she was also assaulted by them. So far as
petitioner is concerned, there is specific allegation against him
of snatching gold chain from the neck of the informant.



4. Learned counsel appearing on behalf of the petitioner submitted that both the parties are agnates and there is case and counter case in between them as Sonapur P.S. Case No.315 of 2022 dated 23.04.2022 was filed by the petitioner's side against the informant and his family members, whereas the present case being Sonapur P.S. Case No. 285 of 2022 dated 26.04.2022 has been filed by the informant due to family dispute and enmity. It is further submitted that petitioner has clean antecedent and there is no specific allegation against him of assaulting the informant rather the allegation against him is of snatching the gold chain from the informant.

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

6. Considering the nature of allegation as well as the fact that both the parties are agnates and there is case and counter case filed by the parties and also the fact that the petitioner has clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from



today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Sonapur P.S. Case No. 285 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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