

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58821 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- SAHARGHAT District- Madhubani

AMARJEET YADAV @AMARJEET KUMAR, aged about 26 years, Gender-Male, SON OF RAJ NARAYAN YADAV, resident of VILLAGE-MUKHIYAPATTI, WARD NO.01, PS -SAHARGHAT, DISTRICT-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-12-2023 Heard Mr. Ravindra Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Kumar Veerendra Narayan, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Saharghat P.S. Case No. 37 of 2023 dated 17.03.2023 registered for the offence(s) punishable under Sections 147, 148, 149, 341, 323, 324, 379, 307, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the FIR, eleven accused persons assaulted the informant by means of knife and other deadly weapons with an intention to kill him including the petitioner.

4. Learned counsel appearing on behalf of the



petitioner submitted that due to enmity, the petitioner has been dragged in the present case because he has lodged an FIR relating to Saharghat P.S. Case No.30 of 2023, registered under Section 302 and other allied sections of IPC in which the own brother of the petitioner was murdered by the informant's side. It is further submitted that even the allegation made in the FIR is general and omnibus as would appear that eleven persons are named in the FIR, who with a common intention, tried to kill the informant. Petitioner has clean antecedent.

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

6. Considering the nature of allegation against the petitioner being general and omnibus and the petitioner has made a specific statement in paragraph no.7 that present FIR lodged against the petitioner is the counter blast to the FIR lodged by him against the informant and the others for the offences committed under Section 302 and other allied Sections of IPC. 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 JM 1st Class, Benipatti in connection with Saharghat P.S. Case No. 37 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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