

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58317 of 2023

Arising Out of PS. Case No.-740 Year-2022 Thana- JAKKANPUR District- Patna

1. RANDHIR SINGH SON OF LATE SURAJ SINGH RESIDENT OF VILLAGE- CHANDPUR BELA, PANI TANKI, PS- JAKKANPUR, DISTT- PATNA
2. ARUN SINGH SON OF LATE SURAJ SINGH RESIDENT OF VILLAGE- CHANDPUR BELA, PANI TANKI, PS- JAKKANPUR, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-10-2023 Heard Mr. Vijay Kumar Sinha learned counsel
appearing on behalf of the petitioners and Ms. (Dr.) Indihar
Kumari learned APP for the State.

2. The petitioners seeks pre-arrest bail in connection with Jakkanpur P.S. Case No. 740 of 2022 dated 16.11.2022 registered for the offence(s) punishable under Sections 341, 323, 354, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners and other co-accused, armed with *lathi* and rod entered into the house of the informant and started assaulting the informant's family members and caused injury to them. Further allegations are that the accused persons also tried to outrage the modesty of the informant's mother and his wife and thereafter they snatched the *Mangalsutra* and chain of the wife of the



informant.

4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case in between the parties. FIR has been instituted at Jakkanpur P.S. Case No.643 of 2022 dated 16.11.2022 by the petitioners' side, whereas, the present case, i.e., Jakkanpur P.S. Case No.740 of 2022 dated 31.12.2022 has been filed by the informant's side. It is further submitted that the petitioners and informant are neighbour and they are on inimical terms and, as such, false allegation has been made in the present FIR.

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 on inimical terms and there is case and counter case filed by the parties, 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned A.C.J.M.- VIII, Patna in connection with
Jakkanpur P.S. Case No. 740 of 2022, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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