

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62788 of 2023

Arising Out of PS. Case No.-94 Year-2023 Thana- AGIAON District- Bhojpur

CHHOTU KUMAR SINGH @ UMESH KUMAR SINGH, Male, age about 35 years, S/O LATE SUKESHWAR SINGH, resident of VILLAGE-BaHADURPUR PS- AGIAON GARHANI DIST- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Prabhat Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Md. Anbzarul Haque Sahara, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Agiaon Garhani P.S. Case No. 94 of 2023 dated 11.06.2023 registered for the offence(s) punishable under Sections 341, 323, 307, 504, 379, 448 and 34 of the Indian Penal Code.

3. As per allegation made in the FIR, the petitioner assaulted the son of the informant, namely, Ravi Ranjan Kumar, by iron rod, as a result of which, he sustained injury.

4. Learned counsel appearing on behalf of the petitioner submits that the allegation made in the FIR is concocted and the injury report reveals that injury is simple in



nature. Learned counsel further submits that there is case and counter case between the parties as FIR of Agiaon (G) P.S. Case No.95 of 2023 dated 09.06.2023 has been instituted by the petitioner's side against the informant and others, whereas FIR of present case, i.e., Agiaon Garhani P.S. Case No.94 of 2023 dated 11.06.2023 has been instituted by 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 statement has been made on behalf of the petitioner that injury is simple in nature, 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, **if after verification, it is found that the injury sustained by son of the informant is simple in nature, as stated in the bail application**, 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 A.C.J.M., Bhojpur at Ara in connection with Agiaon Garhani P.S. Case No. 94 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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