

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64673 of 2023

Arising Out of PS. Case No.-152 Year-2023 Thana- WARISNAGAR District- Samastipur

1. Amod Thakur @ Amod Kumar Son Of Rama Nand Thakur Village-Sukhpur, Ps- Warisnagar, Samastipur, Bihar.
2. Santosh Thakur @ Santosh Kumar Son Of Rama Nand Thakur Village-Sukhpur, Ps- Warisnagar, Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Piyush Kumar Pandey, learned counsel

 appearing on behalf of the petitioners and Mr. Rajendra Prasad

 Nat, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Warisnagar P.S. Case No.152 of 2023 corresponding to GR No.1424 of 2023 dated 02.05.2023 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 and 354 of the Indian Penal Code.

3. Prosecution story, in brief, is that petitioners along with all the accused persons assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the

petitioners submits that petitioners and informant are family members. There is case and counter-case had been filed by the parties. Both the parties had entered into fierce fight, in which the petitioners' side in their self-defence might have caused injury to the informant's side without intention in their self-defence.

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

6. Considering the nature of allegation made in the FIR, as well as, the fact that petitioners and informant are family members and the dispute is related to agricultural land. Also, considering the fact that case and counter-case had been filed by the parties and nature of injury has not been disclosed in the present case, I am of the opinion that petitioner has, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case

No.152 of 2023 corresponding to GR No.1424 of 2023 dated
02.05.2023, subject to the condition as laid down under Section
438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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