

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64469 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- KEWATI District- Darbhanga

1. Saif @ Md. Dilshad @ Md. Saif @ Dilshad aged about 18 years male son of Md. Ale
2. Md. Injamam @ Md. Inzamam @ Md. Injman aged about 21 years male son of Md. Jubair
3. Shabnam Parween aged about 40 years female W/O Md. Ale
4. Md. Jubair @ Zubair @ Jubair aged about 69 years male Faudar,
All are resident of Village- Chhatwan, P.S- Kewti, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Nafisuzzoha, learned counsel appearing on behalf of the petitioners and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Keoti P.S. Case No. 128 of 2023 registered for the offence punishable under Sections 341, 323, 324, 307 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners had assaulted the informant by means of *lathi*, iron rod and feast using fighter glove, due to which, he had sustained injury and was treated at Primary Health Centre, Keoti.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners no. 1, 2 and informant are student and they had entered into fierce fight while they were returning from coaching institute. There is general and omnibus allegation against the petitioners no. 3 and 4. Injury sustained by the informant is simple in nature. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

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

6. Taking into consideration the nature of allegation made against the petitioners in the FIR, as well as, the fact that the injury sustained by the informant is simple in nature and petitioners have clean antecedent. 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. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M, Darbhanga, in



connection with Keoti P.S. Case No. 128 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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