

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64556 of 2023

Arising Out of PS. Case No.-456 Year-2022 Thana- MADANPUR District- Aurangabad

1. Mandip Rikiyasan @ Mandip Bhuiyan Son Of Bhikhar Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.
2. Arjun Kumar Bhuiyan @ Arjun Bhuiyan Son Of Bhikhar Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.
3. Karu Bhuiyan Son Of Bhikhar Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.
4. Ranjan Kumar @ Ranjan Bhuiyan Son Of Bhikhar Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.
5. Bhikhar Bhuiyan Son Of Late Nathuni Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.
6. Dilip Bhuiyan Son Of Suresh Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.
7. Pappu Kumar Son Of Suresh Bhuiyan Resident Of Village - Ratanua, P.S. - Deo, District – Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Mukul Kumari, learned counsel appearing on behalf of the petitioners and Mr. Sharda Kumari, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Madanpur P.S. Case No.456 of 2022, G.R. No.2108 of 2022 dated 04.09.2022 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of

the Indian Penal Code.

3. Allegation of assaulting and snatching of gold locket is there in the FIR.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have committed no offence. He submits that due to previous enmity between the informant's side and the petitioners' side, fierce fight took place among them and both the parties sustained injury and allegation of assault against petitioners is general and omnibus, as per the FIR. Specific allegation has been alleged against one Dharmendra Bhuiyan.

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 injuries sustained by the informant's side is simple in nature, 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. 25,000/- (Rupees

Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No.456 of 2022, G.R. No.2108 of 2022 dated 04.09.2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

Ashishsingh/-

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