

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65153 of 2023**

Arising Out of PS. Case No.-595 Year-2022 Thana- KESARIA District- East Champaran

SANJAY RAI @ SANJAY RAY, Male, aged about 35 years, SON OF SURAT RAI, RESIDENT OF VILLAGE - SUNDARPUR PACHHIYARI TOLA, WARD NO.2, POLICE STATION - KESARIYA, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra,APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      18-10-2023                      Heard Mr. Karandeep Kumar, learned counsel appearing on behalf of the petitioner and Mr. Ramesh Chandra, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kesariya P.S. Case No. 595 of 2022 dated 08.12.2022 registered for the offence(s) punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner along with other co-accused persons assaulted the informant and her family members by means of *lathi*, *danda* and knife, as a result of which they sustained injuries. Further allegation is that the accused persons also tried to outrage the modesty of the informant.



4. Learned counsel appearing on behalf of the petitioner submits that allegation made in the FIR is general and omnibus. It is further submitted that though allegation against the petitioner is that he has assaulted the nephew of the informant with a blow of knife but the injury sustained by him is simple in nature. The entire family was made accused in which his father and other family members have been released on bail by a co-ordinate Bench of this Court. It is lastly submitted that petitioner has clean antecedent.

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 facts that injury sustained by the victim is simple in nature and petitioner has clean antecedent, 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, 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 Chief Judicial Magistrate, East



Champaran at Motihari in connection with Kesariya P.S. Case  
No. 595 of 2022, subject to the conditions as laid down under  
Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

Sanjay/-

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