

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64589 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. GOLU YADAV, aged about 23 years, Son of Suresh Yadav
 2. Satrugan Yadav, aged 40 years, male, Son of Late Mutur Yadav
 3. Usha Devi, aged 27 years, female, W/o Sanjay Yadav
 4. Shilpi Devi, aged 29 years, female, W/o Parmod Yadav
 5. Fulpato Devi, aged 55 years, W/o Late Mutur Yadav
- All are R/o vill - Nagopur, P.S. - Ara Muffasil, Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Rajani Ranjan Pd. Singh, learned counsel

appearing on behalf of the petitioners and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Ara (M) P.S. Case No. 135 of 2023 dated 24.03.2023
registered for the offence(s) punishable under Sections 341, 323,
324, 307, 379, 504/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons named therein, armed with weapons, assaulted
the informant. General and omnibus allegation has been made
against petitioner nos.1, 2, 4 and 5 and specific allegation of



assault has been made against petitioner no.3. Further allegation is that co-accused Suresh Yadav, who is not the petitioner here, had assaulted on the head of the son of the informant, namely, Raghu Yadav.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and the allegation made in the FIR against petitioner no.3 that she has assaulted on the left thigh of the informant by means of spear is not not sustainable as would evident from the injury report in which the doctor has opined that there is pain and swelling in the left shoulder on the person of the informant. Petitioners have clean antecedent. On these grounds, learned counsel submits that the petitioners should be released on bail.

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

6. Considering the nature of allegation and also the fact that general and omnibus allegation has been made against petitioner nos.1, 2, 4 and 5 and so far as allegation of assault against petitioner no.3 is concerned, the injury sustained by the victim is that of swelling and pain, 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- VII, Bhojpur at Ara in connection with Ara (M) P.S. Case No.135 / 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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