

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64667 of 2023

Arising Out of PS. Case No.-494 Year-2021 Thana- VAISHALI District- Vaishali

Ranjeet Ray @ Sanjeet Kumar, (aged about 21 years Male), S/O Bishundeo Ray @ Vishundev Ray, Resident of Village- Sorhatha(Sorhttha), P.S- Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-10-2023 Heard Mr. Hemant Kumar, learned counsel appearing on behalf of the petitioner and Mr. Ahmad Ali, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Vaishali (Belsar O.P.) P.S. Case No. 494 of 2021 dated 11.12.2021 registered for the offence punishable under Sections 147, 148, 149, 323, 341, 337, 427, 454, 380, 307, 504, 506, 452 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, petitioner along with other accused persons had came to the house of the informant and had started pelting stones. They had also assaulted the informant and her family members, due to which, 12 persons from the informant side sustained injuries.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation of assault against all the accused persons and no specific allegation of overt act has been made against the petitioner. Doctor has found the injuries to be simple in nature. Petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

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, there is general and omnibus allegation of assault against all the accused persons and no specific allegation of overt act has been made against the petitioner. Doctor has found the injuries to be simple in nature. 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the



satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 494 of 2021 dated 11.12.2021, 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 lose its force automatically.

(Purnendu Singh, J)

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