

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66351 of 2022

Arising Out of PS. Case No.-81 Year-2020 Thana- SANJHOLI District- Rohtas

Kamendra Paswan @ Kamendra Kumar @ Kamendrar Paswan Son of Satya
Paswan Resident of Village - Tendua, P.S.- Sanjhauli, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate.

For the Opposite Party/s : Mr.Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 17-05-2023 Heard the parties.

2. The petitioner seeks pre-arrest bail in connection with Sanjhauli P.S. Case No. 81 of 2020 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 379 and 307 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., petitioner and other co-accused instigated the informant while he was going to watch his field. All the accused persons named in the F.I.R. abused the informant and also assaulted him.

4. Learned counsel appearing on behalf of the petitioner submits that there is general and omnibus allegation made against the petitioner. The injury sustained by the informant is by hard and blunt substance. However, the informant has made allegation of resorting firing by the accused persons in which several persons of both sides got injured. Case



and counter case has been lodged for the said incidence. The petitioner in his self-defence without any intention might have caused injury to the informant. The injury sustained by the informant is simple in nature.

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

6. Having considered the rival submissions made by the parties, it is admitted that both the parties quarrel with each other and in course of said fierce fight, the either side sustained injury, petitioner's case is that without any intention petitioner in his self defence might have caused injury to some of the persons of informant's side, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, Rohtas in connection with Sanjhauli P.S. Case No. 81 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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