

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74533 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- TIKAPATTI District- Purnia

1. Kailash Singh S/O Late Maheshi Singh
2. Indu Devi W/O Kailash Singh
Both resident of Village- Koskipur, P.S.- Tikapatti, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Sinha, Advocate Mr.Diwakar Sinha, Advocate
For the Informant	:	Mr.Fazle Karim, Advocate
For the Opposite Party/s	:	Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

- 3 15-05-2023 The petitioners seek pre-arrest bail in connection with Tikapatti P.S.Case No.41 of 2022, registered for the offences punishable under Sections 147, 341, 323, 325, 307, 379 & 506 of the Indian Penal Code.

Prosecution story, in brief, is that due to blockage of the passage by the petitioners' side, which was objected by the informant's side, both the parties engaged in fighting, in which the informant sustained injury on her mouth and one of the teeth broken. Allegation against the petitioner no.2 and other accused co-accused persons is general and omnibus.

The learned counsel appearing on behalf of the petitioners submits that petitioner no.1 has not assaulted any one



and general and omnibus allegation has been made against him, as would appear from the FIR. So far petitioner no.2 is concerned, allegation against her is that she assaulted the informant in frontal region and which caused simple injury, as appear from the injury report. Petitioners have clean antecedent.

Learned counsel appearing on behalf of the informant submits that not only the petitioner nos.1 and 2 had assaulted the informant but other co-accused persons named in the FIR had snatched Rs.2,100/- along with gold chain. Informant is the only eye witness and she has sworn that the petitioner no.2 had assaulted Radha Devi.

Learned APP has supported the argument of the informant.

Having considered the rival submissions made by the parties and nature of allegation made in the FIR against the petitioner no.1, which is general and omnibus, so far petitioner no.2 is concerned allegation is that she had assaulted one Radha Devi but the injury is simple in nature and the allegation against other family members of the petitioner no.2 is general and omnibus. The petitioners 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/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Ms.Latika Bharti, Judicial Magistrate, Purnea/concerned court in connection with Tikapatti P.S.Case No.41/2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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