

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9357 of 2024

Arising Out of PS. Case No.-96 Year-2023 Thana- MAKER District- Saran

- 1. Randhir Kumar Singh @ Randhir Kumar S/O Surendra Singh R/O Village-Sultanpur, Barewa, P.S- Maker, Distt.- Saran.
- 2. Ravi Shankar Singh @ Ravi Kumar S/O Umesh Singh R/O Village-Sultanpur, Barewa, P.S- Maker, Distt.- Saran.
- 3. Vikram Kumar @ Vikrama Kumar S/O Shankar Singh R/O Village-Sultanpur, Barewa, P.S- Maker, Distt.- Saran.
- 4. Dipak Kumar @ Deepak S/O Harinath Thakur R/O Village- Ekderwa Masuriya, P.S- Maker, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 20-02-2024 Heard Mr. Avnish Kumar Singh, learned counsel

appearing on behalf of the petitioners and Mr. Jagdhar Prasad,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Maker P.S. Case No. 96 of 2023 dated 07.05.2023
registered for the offence(s) punishable under Sections 341, 323,
324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein had assaulted the informant with a
common intention to kill him.

4. Learned counsel appearing on behalf of the petitioners submitted that the allegation made against the petitioner no.1 is that of snatching golden chain. Petitioner no.2 stabbed the informant with knife, which caused injury on the left hand of the informant. The petitioner no.3 over-powered the informant and twisted his hand, whereas, the specific allegation against the petitioner no.4 is that he was the order giver. Learned counsel had made specific statement in paragraph no.6 of the bail application stating the manner in which the allegation has been made against each petitioner. He further submitted that FIR has been lodged against five named accused persons and four unknown persons. The injury report is not on record.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the FIR, in which Dipak Kumar (petitioner no.4) had given order to kill the informant and specific allegation of assault is against petitioner no.2, who stabbed the informant on his left arm. The allegation against the petitioner no.3 is that of over-powering of the informant and against petitioner no.1 is that of snatching golden chain of the informant. 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 Judicial Magistrate, 1st Class, Saran, Chapra in connection with Maker P.S. Case No. 96 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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