

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8787 of 2024

Arising Out of PS. Case No.-379 Year-2016 Thana- MADHAURAH District- Saran

Chini Sah @ Rajaram Kumar S/o Shambhunath Sah R/o Vill - Masihan Tola,
Miasihah Tola, P.S. - Khaira, Dist. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Mishra, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-02-2024 Heard Mr. Umesh Mishra, learned counsel appearing
on behalf of the petitioner and Mr. Jharkhandi Upadhyay, learned
APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Marhowrah P.S.Case No.379 of 2016 registered for the offences
punishable under Sections 188, 147, 148, 149, 295(A), 307,
337, 338, 436, 427, 153(A), 153(B) and 120(B) of the Indian
Penal Cod.

3. As per the allegation made in the FIR, the
informant happens to be a Police Officer, who has alleged that
several anti-social elements created ruckus in the area and when
the police party went to pacify them, they started pelting stones
on the police party.



4. Learned counsel appearing on behalf of the petitioner submitted that name of the petitioner has surfaced on the basis of statement of the *Chowkidar*. He further submitted that the other similarly situated co-accused persons have been granted pre-arrest bail by the Court, vide order dated 18.03.2017 passed in Cr. Misc. No.13247 of 2017 and order dated 07.07.2017 passed in Cr.Misc. No.20304 of 2017. Petitioner has criminal antecedent of five cases.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made in the FIR, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned 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 CJM, Saran at Chapra in connection with Marhowrah P.S.Case No.379 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner



is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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