

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9356 of 2024**

Arising Out of PS. Case No.-455 Year-2023 Thana- BUXAR MUFFSIL District- Buxar

Sureman Ram @ Rajendra Prasad Ram son of Late Bharatachakra Bharati @  
Bharat Ram Village- Guru Das Mathiya Ps- Buxar M Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. (Dr.) Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      20-02-2024                      Heard Mr. Arun Kumar Gupta, learned counsel  
  
appearing on behalf of the petitioner and Mr. (Dr.) Ajeet Kumar,  
  
learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection  
with Buxar (Muffasil) P.S. Case No. 455 of 2023 registered  
under Sections 147, 149, 341, 323, 325, 307, 379, 427, 504, 506  
of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the petitioner  
along with other members had assaulted the grandson of the  
informant, who sustained injury on the parietal part of the head.

4. Learned counsel appearing on behalf of the  
petitioner submits that petitioner is innocent and he can only  
held to be a member of the mob. The specific allegation against  
the petitioner is that he had assaulted one Alok Kumar, who is

the grandson of the informant. Learned counsel referring to the Impugned Order has informed that injury report of the said Alok Kumar is not on record.

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

6. Considering the rival submission made on behalf of the parties, as well as, the allegation made in the FIR that the petitioner has assaulted the grandson of the informant, who sustained injury but the injury report is not on record, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The District Court is directed to call for the injury report of the victim Alok Kumar and verify as to whether the injury is simple in nature. In case, the injury is simple in nature then the petitioner is directed to be released on anticipatory 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 Chief Judicial Magistrate, Buxar in connection with Buxar (Muffasil) P.S. Case No. 455 of 2023, 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.)

Ashishsingh/-

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