

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14179 of 2024

Arising Out of PS. Case No.-1088 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Sanoj Kumar @ Sanny @ Sanoj Kumar Choudhary Son Of Kishun Kumar Choudhary Resident Of Village - Kathalwari Surkhikal, P.S. - Barari, District - Bhagalpur
 2. Tezu Paswan @ Tezu Kumar Paswan Son Of Nirdhan Paswan Resident Of Village - Kathalwari Surkhikal, P.S. - Barari, District - Bhagalpur
 3. Rabindra Yadav @ Ravindra Nath Yadav Son Of Lali Yadav @ Raj Nath Gope Resident Of Village - Kathalwari Surkhikal, P.S. - Barari, District - Bhagalpur
 4. Ranjan Kumar @ Ranjan Kumar Chaudhary Son Of Tanai Kumar @ Surendra Chaudhary Resident Of Village - Kathalwari Surkhikal, P.S. - Barari, District - Bhagalpur
 5. Sanjay Chaudhary Son Of Yogendra Choudhary Resident Of Village - Kathalwari Surkhikal, P.S. - Barari, District - Bhagalpur
 6. Arjoon Kumar Choudhary Son Of Shyam Chaudhary Resident Of Village - Kathalwari Surkhikal, P.S. - Barari, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajive Ranjan Singh, Advocate
		Mr. Amit Ranjan, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Rajive Ranjan Singh, learned counsel

appearing on behalf of the petitioners and Mr. Lalan Kumar,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection

with Kotwali (Barari) P.S. Case No. 1088 of 2023 registered for

the offence punishable under Sections 147, 149, 341, 323, 307,



153A, 504, 506, 386, 427 and 188 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other accused persons had assaulted the informant for non-fulfillment of demand of donation for performance of Kali Puja.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Allegation, at the best, is that of petitioners and other accused persons had requested the informant to contribute for performance of Kali Puja in the locality which was refused by the informant and just to teach a lesson to the petitioners, they have been made accused in the present FIR. On these grounds, petitioners seek to be released on pre-arrest bail.

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

6. Considering the nature of allegation made in the FIR, as well as, from perusal of the impugned order it appears that doctor has opined that the injury sustained by the informant is simple in nature, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 1088 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 petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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