

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20522 of 2024

Arising Out of PS. Case No.-650 Year-2023 Thana- JAMUI District- Jamui

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1. AWADH KISHORE SAO SON OF NUNESHWAR SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI
 2. KARTIK SAO SON OF LATE NUNESHWAR SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI
 3. NITISH KUMAR SON OF AWADH KISHORE SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI
 4. SHUBHAM KUMAR SON OF AWADH KISHORE SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI
 5. VIKAS SAO @ VIKAS KUMAR SON OF KARTIK SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI
 6. VIKKY SAO @ VIKKY KUMAR SON OF KARTIK SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI
 7. MANISH KUMAR SON OF KULDIP SAO RESIDENT OF VILLAGE - NIMARANG, P.S. - JAMUI, DISTRICT - JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Sinha, Advocate.
For the State	:	Mr.Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-04-2024 Heard Mr. Rajesh Kumar Sinha, learned counsel appearing on behalf of the petitioner and Mr. Anil Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Jamui P.S. Case No. 650 of 2023 registered for the offence punishable under Sections 147, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code.



3. As per the allegation made in the F.I.R., nine F.I.R. named accused persons belonging to the same family on the order of petitioner no.1 namely Awadh Kishore Sao assaulted the informant with a common intention to kill him, as a result of which, the informant sustained head injury.

4. Learned counsel appearing on behalf of the petitioners submitted that so far as petitioners are concerned, no specific allegation of assault or any overt act has been alleged against them. The allegation levelled against them is general and omnibus that they with a common intention tried to kill the informant lacking basic ingredient of Section 307 IPC. Learned counsel further submitted that the present F.I.R. is subsequent to the F.I.R. lodged by the daughter of the petitioner no.2 in respect of allegation under Section 354B and other sections which are non-bailable. Learned counsel submitted that due to alleged immoral conduct of the informant, all the family members of the petitioner had objected in which fierce fight took place and the petitioners in their self defence might have caused some injury on the body of the informant without any intention.

5. Mr. Amar Prakash, learned counsel tendered his appearance on behalf of the informant and has vehemently opposed the prayer for grant of bail to the petitioners, at least to



petitioner no.1 who is the order giver and which led to such incidence in which the informant was brutally assaulted and was treated at PMCH.

6. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

7. Considering the nature of allegation levelled against the petitioners being general and omnibus, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned CJM, Jamui in connection with Jamui P.S. Case No. 650 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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