

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20795 of 2024

Arising Out of PS. Case No.-621 Year-2023 Thana- DAUDNAGAR District- Aurangabad

Kedar Thakur son of Late Vriksh Thakur R/o- Sinduar Shukrahat Mela Ps-
Daudnagar Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-07-2024 Heard Ms. Mukul Kumari, learned counsel
appearing on behalf of the petitioner and Mr. Rajesh Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Daudnagar P.S. Case No. 621 of 2023 registered for the offence(s) punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the accused persons including the petitioner had assaulted the informant and his family member by means of iron rod due to which, the informant had sustained head injury.

4. Learned counsel appearing on behalf of the petitioner submitted that there is case and counter case between the parties. Due to previous enmity, both the sides indulged into



fierce fight and as a result of the same, both the sides sustained injury and petitioner's side might have caused some injury to the informant's side in their self defence without intention. The present case has been lodged by the informant to save his skin. The petitioner has one criminal antecedent in connection with complaint case no. 825 of 2006 for the offences under Sections 323, 324/34 of the Indian Penal Code in which, he has been acquitted. On these grounds, petitioner seeks 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, the fact that the petitioner's side in their self defense, might have caused some injury on the person of the informant without intention. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is 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 S.D.J.M Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 621 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 petition as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Sudhanshu/-

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