

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17475 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- HATHAURI District- Samastipur

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JAI JAI KUMAR @ JAI JAI MANDAL @ JAY JAY DAS @ JAY JAY KUMAR SON OF HARI KISHUN MANDAL @ HARE KRISHANA MAHTO RESIDENT OF VILLAGE- SARAVADIH, PS- HATHAURI, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-03-2024 Heard Mr. Gaurav Kumar, learned counsel appearing on behalf of the petitioner and Mr. Jharkhandi Upadhyay, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Hathauri P.S. Case No. 07 of 2024 registered for the offence(s) punishable under Sections 341, 323, 325, 384, 504, 506/34 of the Indian Penal Code and Section 25(a) of the Arms Act.

3. As per the allegation made in the FIR, 4-5 unknown accused and three named accused, including the petitioner in inebriated condition came to the house of the informant and demanded Rs.5000/- for allowing the marriage ceremony of her niece and upon protest being made by the



informant's side, the accused persons assaulted the informant and her son, as a result of which they sustained injuries.

4. Learned counsel appearing on behalf of the petitioner submitted that there is dispute relating to a passage and no obstruction was caused by the petitioner, as alleged by the informant, during the marriage ceremony of her niece. Petitioner has been made accused in a false case, however, it has been informed on behalf of the petitioner that petitioner undertakes that in future, he will not indulge in any such activity by obstructing the passage of the informant, causing any hindrance to the informant or her family members.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the information given by the petitioner that petitioner will file his undertaking before the District Court, specially stating therein that in future he will not indulge in any illegal activity by obstructing the passage of the informant and in case, duly sworn affidavit to the said effect is filed by the petitioner before the District Court, considering the nature of allegation made against him, the District Court is directed to release the petitioner, above named, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Rosera at Samastipur in connection with Hathauri P.S. Case No. 07 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. With the aforesaid observation/direction, the application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

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