

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21184 of 2024**

Arising Out of PS. Case No.-564 Year-2023 Thana- RAHUI District- Nalanda

Chintu Kumar @ Rahul Kumar Son of Bhushan Sharma @ Bhushan Mistri
Resident of vill.-Baburbana, P.S.-Rahui, Distt.-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP.

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

3 31-07-2024 Heard Mr. Binit Kumar, learned counsel appearing on
behalf of the petitioner and Mr. Shahabuddin Azeem @ S.
Azeem, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rahui (Bhaganbigha) P.S. Case No. 564 of 2023 registered
for the offence punishable under Sections 341, 323, 354,
354(D), 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., when the
informant went to the house of the petitioner to make complaint
with regard to illegal act committed by his son Shashi Kumar
and one Sujeet Kumar that they used to follow her daughter
while she used to attend coaching institute, then the petitioner
abused and assaulted him.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is the father of co-



accused Shashi Kumar. The main allegation is against Shashi Kumar and Sujeet Kumar and they have been granted benefit of Section 41(1) Cr.P.C. Petitioner has not assaulted the informant nor the informant has sustained any injury. Petitioner has clean antecedent. Hence, the petitioner deserves to be released on bail.

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

6. Considering the nature of allegation made in the F.I.R., as well as, the injury report mentioned in Para-41 of the case diary, I find that the doctor has opined the injury sustained by the informant is simple in nature and the petitioner has clean antecedent, 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 ACJM, Nalanda at Biharsharif in connection with Rahui (Bhaganbigha) P.S. Case No. 564 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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