

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22647 of 2024

Arising Out of PS. Case No.-491 Year-2023 Thana- JHAJHA District- Jamui

Pawan Paswan male aged about 20 Yrs. S/o Naresh Paswan @ Late Kara Paswan, resident of Chhoti Chandwari, P.S. - Jhajha, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 31-07-2024 Heard Mr. Rajesh Kumar Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Nagendra Prasad,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Jhajha P.S. Case No. 491 of 2023, registered for the offence punishable under Sections 447, 341, 323, 308, 435, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, some unknown persons had set the *Gumti* of the informant on fire and in course of extinguishing the same, the petitioner came and had started abusing and assaulting the informant and his family members, due to which, the informant had sustained head injury.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. There is case and counter case between the parties arising out of the same incidence. Injury sustained by the informant is simple in nature. Petitioner has clean antecedent. 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 rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties arising out of the same incidence. Injury sustained by the informant is simple in nature. Petitioner has clean antecedent. 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/her 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) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui/Court concerned, in connection with Jhajha P.S. Case No. 491 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 petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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