

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22117 of 2024

Arising Out of PS. Case No.-176 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Aryan Kumar @ Raman Kumar Son of Pradeep Sahni Resident of Village -
Bada, P.S. - Khodawandpur, District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kumar Binode Bariar, Advocate
For the State : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-07-2024 Heard Dr. Kumar Binode Bariar, learned counsel
appearing on behalf of the petitioner and Mr. Ganesh Prasad
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Khodawandpur P.S. Case No. 176/2023 registered for the
offence(s) punishable under Sections 341, 323, 307, 504, 506/34
of the Indian Penal Code.

3. Allegation against the petitioner is of assaulting
the sister of the informant with iron rod causing head injury.

4. Learned counsel appearing on behalf of the
petitioner submitted that there is a 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 which was in their self defence and was not intentional. The present case has been lodged by the informant to save his skin. The petitioner has no criminal antecedent.

5. Learned counsel appearing on behalf of the informant submitted that at the spur of the moment, the informant might have assaulted the mother of the petitioner for which she has lodged Khodwandpur P.S. Case No. 177 of 2023 which is counter blast to the case lodged by the informant's side.

6. Learned APP has supported the argument advanced on behalf of the informant.

7. Having considered the rival submissions made on behalf of the parties, as well as, the injury sustained by the sister of the informant, I find that there is case and counter case for the same incidence and the petitioner in his self defence might have caused some injury to the sister of the informant without any intention, the petitioner has made out a case to be released on bail.

8. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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 S.D.J.M., Manjhaul, Begusarai in connection with Khodwandpur P.S. Case No. 176 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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