

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25737 of 2024

Arising Out of PS. Case No.-460 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

1. KARU RAI SON OF LATE HARDEV RAI RESIDENT OF VILLAGE - DIH MADHOPUR, P.S. - PATORY (MOHANPUR O.P.), DISTRICT - SAMASTIPUR

2. DHANANJAY RAI SON OF KARU RAI RESIDENT OF VILLAGE - DIH MADHOPUR, P.S. - PATORY (MOHANPUR O.P.), DISTRICT - SAMASTIPUR

3. DIN DAYAL RAI SON OF LATE HARDEV RAI RESIDENT OF VILLAGE - DIH MADHOPUR, P.S. - PATORY (MOHANPUR O.P.), DISTRICT - SAMASTIPUR

4. VIJAY RAI SON OF KARU RAI RESIDENT OF VILLAGE - DIH MADHOPUR, P.S. - PATORY (MOHANPUR O.P.), DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Sinha, Advocate.
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

201-05-2024

Heard Mr. Jitendra Sinha, learned counsel appearing on behalf of the petitioners and Mr. Tapeshwar Sharma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Patory (Mohanpur O.P.) P.S. Case No. 460 of 2023 registered for the offence punishable under Sections 147, 148, 149, 323, 341, 307, 452, 354B, 380, 504 and 506 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners armed with various weapons came at the door of the



informant and started abusing him and alleged that the children of his family use to pluck mango from their orchard and when the informant objected on this, on the order of petitioner no.1, co-accused Sanjay Rai and the petitioner no.4 tried to strangle the informant with a rope.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the case. There is case and counter case between the parties. He further submits that in course of fierce fight, both the sides sustained injury and the petitioners might have assaulted the informant in their self defence without any intention.

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

6. Having considered the rival submissions made on behalf of the parties, the District court is directed to verify the nature of injury from the injury report and if it is found that the injury is simple in nature, the petitioners, above named, be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate 1st Class, Samastipur in connection with Patory (Mohanpur O.P.) P.S. Case No. 460 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

(Purnendu Singh, J)

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