

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24136 of 2024

Arising Out of PS. Case No.-740 Year-2023 Thana- NAUBATPUR District- Patna

1. Vikash Kumar, Son of Shashi Kant Verma, Resident of Mohalla- Azad Nagar, Naubatpur, P.S.- Naubatpur, District- Patna
2. Suman Kumar, Son of Rameshwar Mahto, Resident of Village- Mosepur, P.S. - Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-08-2024 Heard Mr. Ashok Kumar Garg, learned counsel appearing on behalf of the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Naubatpur P.S. Case No. 740 of 2023, registered for the offence punishable under Sections 147, 148, 149, 323, 324, 448, 379 and 504 of the Indian Penal Code.

3. As per the allegation made in the FIR, accused persons named therein including the petitioners, had assaulted the informant with a common intention to kill him, causing injury on the different parts of the body.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners that both of them had assaulted the informant by means of iron rod and *Fasuli* on his head, with an intention to kill, however, as per the opinion of the doctor the injury is simple in nature. The petitioners have clean antecedent. On these grounds, the petitioners seek 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 the general and omnibus allegation has been made against the petitioners, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the District Court 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 A.C.J.M., 6th, Danapur, District- Patna, in connection with Naubatpur P.S. Case No. 740 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, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

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