

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28718 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- BALIYA District- Begusarai

Binod Singh Son of Ramphal Singh Resident of Village- Sadanandpur, P.S.-
Ballia, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate.

For the Opposite Party/s : Mrs.Renu Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-08-2024 Heard Mr. Manoj Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mrs. Renu Kumari
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ballia P.S. Case No. 163 of 2023 registered for the
offence(s) punishable under Sections 147, 148, 504, 506, 354,
307, 379, 323 and 324 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the
accused persons, named in the FIR, assaulted the informant and
his family members and one co-accused Ankit Singh snatched a
golden chain of his daughter-in-law.

4. Learned counsel appearing on behalf of the
petitioner submits that general and omnibus allegation has been
made in the FIR. It is further submitted that there is case and



counter case and both the parties have enmity due to land dispute. Petitioner has clean antecedent. It is further submitted that similarly situated co-accused namely Pawan Kumar, Sumod Singh and Mukesh Kumar have been granted pre-arrest bail by this Court vide order dated 01.11.2023 passed in Cr. Misc. No. 70171 of 2023.

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 and also the fact that petitioner has clean antecedent and no specific allegation of assault is against the petitioner and the allegation being general and omnibus, I am of the opinion that the 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 arrest or surrender before the Court below 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 Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 163 of 2023, subject to the conditions 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 and if it is found that the petitioner is 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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