

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25530 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- PIPRA District- East Champaran

1. Munna Patel @ Subhash Patel Son of Kailash Patel Resident of Village- Bediban Madhuban, Tola Chap Math, Ward no. 02, P.S.- Pipra, Dist.- East Champaran
2. Sunil Patel @ Sunil Raut Son of Kailash Patel Resident of Village- Bediban Madhuban, Tola Chap Math, Ward no. 02, P.S.- Pipra, Dist.- East Champaran
3. Deepak Patel Son of Munna Patel @ Subhash Patel Resident of Village- Bediban Madhuban, Tola Chap Math, Ward no. 02, P.S.- Pipra, Dist.- East Champaran
4. Baby Devi Wife of Santosh Patel Resident of Village- Bediban Madhuban, Tola Chap Math, Ward no. 02, P.S.- Pipra, Dist.- East Champaran
5. Anita Devi Wife of Munna Patel @ Subhash Patel Resident of Village- Bediban Madhuban, Tola Chap Math, Ward no. 02, P.S.- Pipra, Dist.- East Champaran
6. Mira Devi Wife of Sunil Patel Resident of Village- Bediban Madhuban, Tola Chap Math, Ward no. 02, P.S.- Pipra, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhurendra Kumar, Advocate.
For the State	:	Mr. Ajit Kumar, APP.
For the Informant	:	Mr. Priyesh Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2024 Heard Mr. Madhurendra Kumar, learned counsel appearing on behalf of the petitioners; Mr. Ajit Kumar, learned APP for the State and Mr. Priyesh Kumar, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Pipra P.S. Case No. 353 of 2023 registered for the offence



punishable under Sections 341, 323, 324, 354, 379 and 307/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., all the accused persons named therein had assaulted the informant and her family members. Specific allegation against petitioner no.1 is that he had assaulted on the head of the informant and injury in the opinion of the doctor is simple in nature being lacerated and not corroborated with the weapon used for assault. Allegation against the petitioner nos. 2, 4, 5 and 6 is general and omnibus. So far as petitioner no.3 is concerned, specific allegation against him is that he had assaulted on the nose of the victim namely Jishu Kumar.

4. Learned counsel appearing on behalf of the petitioner 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 submitted that the injuries sustained by the victim might have been caused in course of fierce fight in their self defence without any intention.

5. Mr. Priyesh Kumar, learned counsel tendered his appearance on behalf of the informant and submitted that the petitioners don't deserve to be released on bail as they have committed cognizable offence and the injury sustained by the



victims are on the vital parts of the body.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and supported the submission made on behalf of the petitioners.

7. Considering the nature of allegation against the petitioners, the petitioners, above named, are directed to 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 Sub-Divisional Judicial Magistrate, Sadar, East Champaran, Motihari in connection with Pipra P.S. Case No. 353 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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