

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25825 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- PATLIPUTRA District- Patna

Sahil Khan @ Md. Sahil, Male, aged about 19 years, Son of Md. Javed,
Resident of Mohalla 86 Mahanth Hanuman Shara Path, North Nehru Nagar
(Harijan Colony), Boring Road, P.S. Patliputra, District- Patna-800013

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madan Mohan, Advocate Ms. Pallavi Pandey, Advocate Mr. Ritik Shah, Advocate
For the State	:	Mr. Narsingh Tanti, APP
For the informant	:	Mr. Ritesh Kumar Jha, Advocate Mr. Avinash Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 01-05-2024

Heard the parties.

2. The petitioner seeks pre-arrest bail in connection with Patliputra P.S. Case No. 26 of 2024 registered for the offence(s) punishable under Sections 341, 323, 354, 325, 379, 307, 504 and 506 read with Section 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, all the accused persons named in the FIR along with the petitioner and 6-7 unknown persons had assaulted the informant, his wife and his son, as a result of which, his son sustained injuries.

4. Learned counsel appearing on behalf of the petitioner submitted that specific allegation of assault is against co-accused Prince Kumar, who is said to have assaulted with the but of the pistol on the head of the informant's son, causing head injury. Allegation against the other co-accused persons



including the petitioner is to have fractured the right hand of son of the informant, however, the injury is not on the vital part of the body. General and omnibus allegation has been made against the petitioner, who is having clean antecedent.

5. Learned APP for the State, as well as, learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation, as well as, the fact that general and omnibus allegation has been made against the petitioner, who is having clean antecedent, I am of the opinion that 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 A.C.J.M.-X, Patna in connection with Patliputra P.S. Case No. 26 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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