

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25735 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- SHYAMPUR BHATHAN District- Sheohar

1. Urmila Kumari D/o Late Amir Roy (As per FIR Father name written as Amir Roy)
 2. Satyendra Roy Son of Late Amir Roy
 3. Janki Devi Wife of Late Amir Roy (As per FIR Father name written as Amir Roy)
 4. Nilam Kumari @ Lilam Kumari D/o Shambhu Rai
 5. Rani Devi D/o Birendra Roy
 6. Sushila Devi Wife of Shambhu Roy
 7. Sakchhi Devi @ Sakshi Devi @ Sakshi Kumari Wife of Satyendra Roy
 8. Vishal Kumar Son of Shambhu Roy @ Rambhu Roy
- All are resident of Village- Umed Chhapra, Police Station- Shyampur Bhathan, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2024 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Shyampur Bhathan P.S.Case No.07/2024, registered for the
offences punishable under Sections 447, 341, 323, 307, 504 &
506/34 of the Indian Penal Code .

3. As per the allegation made in the FIR, all the
accused persons including the petitioners with a common



intention tried to kill the informant.

4. In fact, the genesis of the incident is that one Birendra Roy, who is the informant of Shyampur Bhataha P.S.Case No.08 of 2024, has also been named in the present FIR. Birendra Roy is a handicapped person and the informant side teased him, which led to fierce fight between both the parties.

5. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties. There is general and omnibus allegation against the petitioner nos.1, 3 to 8 and specific allegation of assault is against the petitioner no.2, who had assaulted by means of iron rod on the head and other parts of the body of the informant and the injury is reported to be grievous in nature. Learned counsel further submitted that the petitioners, in their self-defence, might have made some injury on the person of the informant but the same is without intention. Petitioners have clean antecedent

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

7. Having considered the rival submissions made on behalf of the parties, as well as, considering the fact that there is



direct allegation of assault against the petitioner no.2, I am not inclined to release the petitioner on pre-arrest bail. However, the petitioner no.2, if so advised, may surrender before the learned district court and make prayer for regular bail, the learned district court is directed to consider the same on the same day and pass a reasoned order on the basis of the evidences collected during the course of the investigation and the nature of injury.

8. So far as petitioner nos. 1 and 3 to 8 are concerned, general and omnibus allegation has been levelled against them and they might have caused some injury on the person of the informant without intention in their self-defence, petitioner nos.1 and 3 to 8 are directed to be released on pre--arrest bail, in the event of their arrest or surrender before the learned 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 ACJM-I, Sheohar/concerned court in connection with Shyampur Bhathan P.S.Case No.07/2024, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

9. The court below 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



paragraph No.3 of the bail application, this order will automatically lose its force.

10. With the above observation/direction, the present bail application stands disposed of.

(Purnendu Singh, J)

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