

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32094 of 2024

Arising Out of PS. Case No.-458 Year-2023 Thana- KATEYA District- Gopalganj

1.

PAWAN KUMAR MISHRA @ PAWAN MISHRA S/O KEDAR MISHRA R/O VILLAGE- SEMARIYA (SEMARIA), P.S- KATEYA, DISTT.- GOPALGANJ.
2.

DHANU KUMAR @ DHANU SHARMA S/O MATHURA SHARMA R/O VILLAGE- SEMARIYA (SEMARIA), P.S- KATEYA, DISTT.- GOPALGANJ.
3.

MATHURA SHARMA S/O GANGA SHARMA R/O VILLAGE- SEMARIYA (SEMARIA), P.S- KATEYA, DISTT.- GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai, Advocate.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

318-09-2024

Heard Mr. Satyendra Rai, learned counsel appearing on behalf of the petitioners and Mr. Md. Matloob Rab, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Kateya P.S. Case No. 458 of 2023 registered for the offence punishable under Sections 341, 323, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners along with other co-accused had assaulted the informant and his family members and also outraged the modesty of the informant.



4. Learned counsel appearing on behalf of the petitioners submitted that there is case and counter case between the parties. Due to land dispute, both the parties entered into fierce fight and in course of the same, the petitioners side might have caused some injury to the informant's side, which was in self defence and not intentional. The injuries sustained by the victims are simple in nature. So far as allegation of outraging the modesty of the informant is concerned is ornamental. Petitioners have clean antecedent.

5. Mr. Dhananjay Kumar Upadhyay, learned counsel tendered his appearance on behalf of the informant and vehemently opposed the prayer for grant of pre-arrest bail to the petitioners. Learned APP for the State has also supported the argument advanced on behalf of the informant.

6. Considering the nature of allegation made against the petitioners and injuries sustained by the victims are simple in nature, 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 C.J.M., Gopalganj in connection with



Kateya P.S. Case No. 458 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 and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

