

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32699 of 2024

Arising Out of PS. Case No.-254 Year-2021 Thana- RAJNAGAR District- Madhubani

Md. Kalim, son of Md. Jahangir Resident of village- Mangrauni Sheikh Toli
PS-Rajnagar District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Anand, Advocate. Ms. Madhuri Kumari, Advocate.
For the State	:	Mr.Umesh Lal Verma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 22-11-2024 Heard Mr. Abhishek Anand, learned counsel along with Ms. Madhuri Kumari, learned counsel appearing on behalf of the petitioner and Mr. Umesh Lal Verma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Rajnagar P.S. Case No. 254 of 2021 registered for the offence punishable under Sections 399, 504, 323, 324, 325, 308, 354, 379 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., all the F.I.R. named accused persons including the petitioner are said to have abused and assaulted the informant causing him head injury.

4. Learned counsel appearing on behalf of the



petitioner submitted that the allegation levelled against the petitioner is not specific rather general and omnibus. The specific allegation of assault is against other accused persons. Due to land dispute, the petitioner has been roped in a false case. There is case and counter case between the parties. Due to old rivalry between the parties, both the parties indulged into fierce fight and as a result of the same, assault between the parties took place and the petitioners side might have assaulted the informants side in their self defence which was not intentional. The petitioner has clean antecedent.

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 made against the petitioner to be general and omnibus and specific allegation of assault is against other co-accused, 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhubani in connection with Rajnagar P.S. Case No. 254 of 2021, 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 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.
8. The bail application stands disposed of.

(Purnendu Singh, J)

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