

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40039 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

1. Mandeep Rai Son of Mauji Ray R/O Village- Makhdumganj, P.S.- Chapra Muffasil, Dist.- Saran At Chapra 841301
2. Manish Kumar Son of Mandeep Rai R/O Village- Makhdumganj, P.S.- Chapra Muffasil, Dist.- Saran At Chapra 841301
3. Punam Devi Wife of Mandeep Rai R/O Village- Makhdumganj, P.S.- Chapra Muffasil, Dist.- Saran At Chapra 841301

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 03-07-2024 Heard Mr. Jeetendra Narayan, learned counsel
appearing on behalf of the petitioners and Mr. Madhura Nand
Jha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Chapra Muffasil P.S. Case No. 85 of 2023, registered for
the offence punishable under Sections 341, 323, 324, 325, 307,
379, 504 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners
along with other accused persons, had assaulted the informant
and her son by means of *sword* and *iron-rod*, due to which, they
had sustained injuries.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. He further submitted that the present case is counterblast of Chapra Muffasil P.S. Case No. 61 of 2023, which was lodged against the son of the informant for mishandling with daughter of the petitioners no. 1 and 3. Injuries sustained by the informant and her son are simple in nature. Both the parties entered into fierce fight, in which, the petitioners may have caused some injury on the person of the informant and informant side without any intention. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that both the parties entered into fierce fight, in which, the petitioners may have caused some injury on the person of the informant and informant side without any intention, in their self defence. Petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapara, in connection with Chapra Muffasil P.S. Case No. 85 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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