

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42470 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- NASRIGANJ District- Rohtas

1. Manish Kumar, aged about 32 years, Male, Son of Ramesh Prasad,
2. Ramesh Prasad, aged about 55 years, Male, Son of Late Fagu Sah,
3. Shipu Kumar, aged about 30 years, Male, Son of Ramesh Prasad
All are Resident of Ward No. 07, Nasriganj, Sangam Bigha, P.S. Nasriganj,
District -Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Singh, Advocate
Mr. Ajay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-07-2024 Heard Mr. Prabhat Singh alongside Mr. Ajay
Kumar Tiwari, learned counsel appearing on behalf of the
petitioners and Mr. Rajendra Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Nasriganj P.S. Case No. 118 of 2024 registered for the
offence(s) punishable under Sections 447, 504, 324, 341, 307,
379 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioners, had entered
into the house of the informant and had assaulted him and his



family members, due to which, informant had sustained injury on his head.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners no. 1 and 2. So far as, petitioner no. 3 is concerned, specific allegation against him is that he had assaulted on the head of the informant by means of *danda*, however, injury is simple in nature. Petitioners and informant are aganate and there was dispute between the parties relating to dog bite, which has resulted into the lodging of the present FIR. 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. Having considered the rival submissions made on behalf of the parties, as well as, the fact that the petitioners have submitted that petitioners and informant are agnate and due to dispute relating to dog bite, they had entered into oral fight, which has resulted into the fierce fight and the informant had sustained injury on his head attributable to petitioner no. 3. I am



of the opinion that petitioners no. 1 and 2 have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners no. 1 and 2, 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bikramganj, Rohtas in connection with Nasriganj P.S. Case No. 118 of 2024, subject to the conditions 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 no. 1 and 2 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 1 and 2 as what has been stated in paragraph no. 3, this order will lose its force automatically.

9. So far as, petitioner no. 3, namely, Shipu Kumar, is concerned, I am not inclined to grant him pre-arrest bail. Petitioner no. 3 may surrender before the learned District Court and seek regular bail and the learned District Court may hear the regular bail application of the petitioner no. 3 on merits and pass



reasoned order in accordance with law, same day.

10. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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