

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42619 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- KASMA District- Aurangabad

Tetar Devi @ Tetari Devi aged about 28 years (female), wife of Satkumar Pal,
resident of village - Naraich, P.S. - Kasma, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-07-2024 Heard Mr. Aman Vishal, learned counsel appearing
on behalf of the petitioner and Mr. Anant Kumar 1, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kasma P.S. Case No. 37 of 2024, registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 307, 427,
353, 354, 504, 506, 153A and 120B of the Indian Penal Code.

3. As per the allegation made in the FIR, 59 named
accused persons and 56 to 60 unknown accused persons
including the petitioner, had pelted stone and brick over the
police personnel and had obstructed them from performing
public duty.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case on the basis of suspicion being residents of same village. General and omnibus allegation has been levelled against the petitioner and no specific overt act has been alleged against him. Petitioner has clean antecedent. On these grounds, petitioner seeks 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 nature of allegation made in the FIR, as well as, the fact that general and omnibus allegation has been levelled against the petitioner and no specific overt act has been alleged against him. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar), in connection with Kasma P.S. Case No. 37 of 2024, 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 petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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