

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42991 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- SIMRA District- Aurangabad

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1. Binod Singh, aged about 55 years, Male, S/o Late Chandradev Singh
 2. Jai Kumar Singh @ Chhotu Singh, aged about 35 years, Male, S/o Late Chandradev Singh
 3. Rajnish Kumar Singh @ Rajnish Kumar, aged about 25 years, Male, S/o Binod Singh
 4. Vishal Kumar Singh @ Vishal Kumar @ Vishal Singh, aged about 20 years, Male, S/o Binod Singh
- All are R/o vill - Ajanina, P.S .- Simra, Distt. - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 25-09-2024 Heard Mr. Abhay Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Tapeshwar Sharma, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Simra P.S. Case No. 09 of 2024 registered for the offence(s) punishable under Sections 147, 148, 149, 323, 325, 307 and 379 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners had assaulted the informant with a common intention to kill.



4. Learned counsel appearing on behalf of the petitioners submitted that so far as petitioners no.1, 2 and 3 are concerned, general and omnibus allegation has been levelled against them and considering the injury report, the injury attributable to the petitioners no.2 and 3 are not specific. He further submitted that he don't want to press the pre-arrest bail application with regard to petitioner no.4.

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 in the FIR, general and omnibus allegation has been levelled against the **petitioners no.1, 2 and 3 that they had assaulted but no specific allegation on which part of the body they had assaulted, petitioners no.1, 2 and 3, 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 Chief Judicial Magistrate, Aurangabad or its available Successor Court in connection with Simra P.S. Case No. 09 of 2024, subject to the conditions as laid down under



Section 438(2) of the Cr.P.C.

7. So far as petitioner no.4 is concerned, considering the specific allegation against him, that he had assaulted the informant by iron rod on his leg with an intention to kill him, I am not inclined to enlarge the petitioner no.4 on pre-arrest bail.

8. The bail application is, accordingly, disposed of.

(Purnendu Singh, J)

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