

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42909 of 2024

Arising Out of PS. Case No.-369 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

1. Pankaj Singh @ Pankaj Kumar Singh S/o Late Bangali Singh R/o vill - Bhojubigaha, P.S. - Magadh University, Distt. - Gaya
2. Praveen Singh @ Praveen Kumar Singh S/o Late Bangali Singh R/o vill - Bhojubigaha, P.S. - Magadh University, Distt. - Gaya
3. Shashi Bhushan Singh S/o Late Rambali Singh R/o vill - Bhojubigaha, P.S. - Magadh University, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-07-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 148 , 149, 323 , 348 , 307, 354(B), 504 and 506 of the Indian Penal Code .

3 . As per the prosecution case , allegation against these petitioners is that they along with other co-accused persons entered into the house of the informant and outraged her modesty. When family members of informant came to save her they were assaulted by the accused persons due to which they



sustained injury .

4. It is submitted on behalf of the petitioners that due to land dispute between the parties a simple occurrence of *maarpeet* took place in which both sides sustained injuries. Case and counter case . He further submits that there is no specific allegation of overt act against petitioner No. 3 and so far as petitioner No. 2 is concerned, injury allegedly caused by him is found to be simple in nature . Both the parties have compromised the case and in this regard they have filed a compromised petition before Court below i.e, Annexure 3 to the bail petition .

5. Learned counsel for the State opposed the bail petition and submitted that injury caused by petitioner No. 1 is grievous in nature .

6. Considering the fact that injury caused by petitioner No. 1 is grievous in nature , his prayer for pre – arrest bail is rejected.

7. Considering the nature of injury caused by petitioner No. 2 and also the fact that there is no specific allegation of overt act against petitioner No. 3 and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos. 2 and 3 , as



named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the JMFC , Gaya in connection with M. U P.S. Case No. 369 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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