

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44574 of 2024

Arising Out of PS. Case No.-279 Year-2022 Thana- KARPI District- Jehanabad

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Santosh Kumar Son Of Ramagya Singh Village- Aiara, P.S.- Karpi in the
District of Arwal. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-07-2024 Heard Mr. Bimal Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Ashok Kumar Singh, learned

APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Karpi P.S. Case No. 279 of 2022 registered under Sections
147, 148, 149, 341, 342, 323, 307, 354 and 379 of the Indian
Penal Code.

3. As per the allegation made in the FIR, the accused
persons, including the petitioner, had assaulted the informant,
his son and his wife, as a result of which, he and his wife
sustained injuries and they were treated at P.M.C.H., Patna.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner is innocent and has falsely
been implicated in the present case. Learned counsel submits
that no such incidence had taken place and the petitioner has
been made accused in the present case due to village politics.



General and omnibus allegation has been made against the petitioner. At the best, petitioner can be held to be member of mob. Petitioner has clean antecedent.

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 it has been alleged in the FIR that the informant and his wife were treated at P.M.C.H., Patna for injuries sustained and in absence of injury report on record, I find it proper to direct the District Court that after perusal of injury report and material available on record, as well as, the fact that petitioner was only member of the mob and there is no evidence in respect of the petitioner having assaulted the informant and his wife, the petitioner shall be directed to be released on pre-arrest bail in connection with Karpi P.S. Case No.279 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and the learned District Court deems it fit and proper.

7. Accordingly, the present bail petition stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

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