

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51025 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- KOCHAS District- Rohtas

Kush Pal @ Kush Kumar Pal, aged about 20 years (Male), S/o Nathuni Pal @ Nathun Pal, R/o Village- Parasiyan (Padasiya), P.S- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Ashutosh Tripathy, learned counsel appearing on behalf of the petitioner and Mr. Amitesh Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kochas P.S. Case No. 197 of 2023, registered for the offence punishable under Sections 341, 323, 326, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner had dashed the bicycle of the father of the informant by his E-Rikshaw and upon protest for the same, the petitioner along with some other co-accused persons, had assaulted the father of the informant, due to which, he had sustained injuries on his eye and head.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that petitioner ply E-Rikshaw and earn his livelihood from the passengers. The alleged incidence had taken place in busy area and the petitioner may have lost his balance, which resulted into the dashing of the bicycle of the father of the informant without any intention to cause any physical injury to the father of the informant. 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 the petitioner has clean antecedent, 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 C.J.M. Rohtas at Sasaram, in connection with Kochas P.S. Case No. 197 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. 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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