

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47353 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

Pramod Bhagat S/O Late Narayan Bhagat R/O Mohalla- Madarpur, P.S-
Laheriasarai, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-08-2024 Heard Mr. Baidyanath Prasad, learned counsel

appearing on behalf of the petitioner and Mr. Prem Kumar Jha,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Laherisarai P.S. Case No. 306 of 2023, registered for the
offence(s) punishable under Sections 341, 323, 308, 379, 427,
504, 506, 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner have assaulted
the informant with a common intention to kill him, as a result of
which, he sustained injury.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner was getting his house
repaired and plumbing work was going on and in the meantime,



the informant sides entered into his house with a common intention to kill the petitioner and his family members and thereafter they brutally assaulted the son of the informant, causing him injury. There is a case and counter case arising out of same incidence. In the FIR, allegation is that the petitioner had assaulted on the back of the informant with *lathi* and the injury sustained by the informant is not on the vital part of the body. 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 there is case and counter case between the parties, arising out of the same incidence, in which the son of the petitioner was also brutally assaulted. 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 arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Chandan Thakur, J.M. 1st Class,



Darbhanga in connection with Laherisarai P.S. Case No. 306 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J.)

Sudhanshu/-

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