

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51290 of 2024

Arising Out of PS. Case No.-194 Year-2023 Thana- DIDARGANJ District- Patna

Raushan Kumar, Male, aged about 32 years, son of Ganesh Singh, Resident of village- Sukulpur, P.S.- Dildarganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2024 Heard Mr. Dewanand Tiwari, learned counsel appearing on behalf of the petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Didarganj P.S. Case No. 194 of 2023 registered for the offence punishable under Sections 341, 323, 324, 307, 354A, 379, 427, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the F.I.R., the informant had gone to participate in the shradh ceremony of his sister when the petitioner and other accused persons named in the F.I.R. had indulged into fierce fight and in the said incidence, the informant was injured.

4. Learned counsel appearing on behalf of the



petitioner submitted that the injury sustained by the victim is simple in nature and the same has been caused without any intention. The injury is not on the vital part of the body. The doctor has opined the injury to be simple in nature. Other co-accused persons namely, Kamla Singh @ Kamlesh Prasad and Karan Kumar @ Bangali Singh, have already been granted bail by this Court vide order dated 31.01.2024 passed in Cr. Miscellaneous No. 1497 of 2024. Petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made in the F.I.R., as well as, the fact that from perusal of the impugned order, it appears that the injury is not on the vital part of the body and the same has been caused due to fierce fight during shradh ceremony which was without any intention to kill, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna City at Patna in connection



with Didarganj P.S. Case No. 194 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court 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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