

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54254 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Sanni Kumar @ Sanni Yadav (Male), aged about 19 years, Son of Jyoti Yadav
@ ThakurYadav, resident of Surkhikal, Anandi Lal Lane, Adarsh Colony,
P.S.- Kotwali Barari, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-08-2024 Heard Mr. Praveen Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Nawal Kishore

Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kotwali (Barari) P.S. Case No. 188 of 2024, registered for
the offence punishable under Sections 147, 149, 341, 323, 332,
333, 307, 353, 504, 506 and 427 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner
along with other accused persons, had forcibly entered into the
house of one Ashok Yadav with an intention to kill him and,
thereafter, all the accused persons had manhandled the police
force while they were performing official duty.

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 at the best, a case for house trespass is made out against the petitioner as per first part of the allegation made in the FIR and as per the second part of the FIR, the allegation is general and omnibus that the petitioner had manhandled the police force, while they were performing their official duty. 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 rival submissions made on behalf of the parties, as well as, the allegation made in the FIR, I find that the allegation against the petitioner is that he had trespassed the house of one Ashok Yadav and, thereafter, he was indulged in manhandling the police force, while they were performing official duty. The allegation being general and omnibus, 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/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 Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 188 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. 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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