

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55810 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- MAHKAR District- Gaya

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1. Bablu Kumar, S/O Ramashray Paswan, R/O Village- Inayat Chak, P.S- Mahkar, Distt.- Gaya.
 2. Gautam Kumar, S/O Ramashray Paswan, R/O Village- Inayat Chak, P.S- Mahkar, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2024 Heard Mr. Dharmendra Kumar Sinha, learned counsel appearing on behalf of the petitioners and Mr. Anish Chandra, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Mahkar P.S. Case No. 06 of 2024 registered under Sections 341, 323, 354, 308, 504, 379, 506, 337 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners, along with other co-accused, assaulted the informant and her family members, causing head injury.

4. Learned counsel appearing on behalf of the petitioners submitted that the due to enmity, both the parties indulged into fierce fight and in the said course, in self defence, the petitioners may have caused some injuries on the persons of the informant. There is case and counter case between the



parties. The petitioners are innocent and they have falsely been implicated in the present case. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on 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 fact that specific allegation of assault causing head injury has been levelled against the petitioners, which is on the vital part of the body, I am not inclined to enlarge the petitioners on pre-arrest bail, however, the petitioners, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider their bail application on the same day and pass necessary order after verifying the genuinity of the allegation of injury made against the petitioners.

7. With the aforesaid observation/ direction, the present bail application stands disposed of.

(Purnendu Singh, J.)

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