

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64003 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- JAMUI District- Jamui

-
1. Rohan Kumar @ Rohan Kumar Rajak, Son Of Upendra Rajak, R/V- Village-Satgama, P.S.- Jamui, Distt.- Jamui.
 2. Rahul Rajak @ Rahul Kumar, Son Of Upendra Rajak, R/V- Village-Satgama, P.S.- Jamui, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-12-2024 Heard Mr. Vijay Kumar, learned counsel appearing on behalf of the petitioners and Mr. Yogendra Kumar, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners submitted that the petitioner no.2 has been arrested and as such, he seeks to withdraw the bail application for petitioner no.2.

3. Accordingly, the present bail application is dismissed as withdrawn with respect to the petitioner no.2.

4. So far as, the petitioner no.1 is concerned, he seeks pre-arrest bail in connection with Jamui P.S. Case No. 184 of 2024, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 332, 333, 353, 188, 153(A), 295(A),



337, 338 and 504 of the Indian Penal Code.

5. As per the allegation made in the FIR, two communities had entered into brisk fight and FIR has been lodged against 32 named accused persons, including the petitioners.

6. Learned counsel appearing on behalf of the petitioner no.1 submitted that petitioner no.1 is innocent and has falsely been implicated in the present case. He further submits that there is general and omnibus allegation against the petitioner no.1, however, the crime has to be deprecated, which fragment the social fabric of the nation. Other accused persons have been granted pre-arrest bail by this Court vide order dated 03.07.2024 passed in Cr. Misc. No.40059 of 2024. The petitioner no.1 has clean antecedent. On these grounds, the petitioner no.1 seeks to be released on pre-arrest bail.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

8. Having considered the rival submissions made on behalf of the parties, as well as, the fact that other accused persons have been granted pre-arrest bail by this Court vide order dated 03.07.2024 passed in Cr. Misc. No.40059 of 2024. The allegation against the petitioner no.1 is general and omnibus



in nature and the petitioner no.1 has clean antecedent, I am of the opinion that petitioner no.1 has, *prima facie*, made out a case to be released on pre-arrest bail.

9. The petitioner no.1, 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 C.J.M., Jamui, in connection with Jamui P.S. Case No. 184 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

10. The Court below is directed to verify the criminal antecedent of the petitioner no.1 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner no.1 as what has been stated in paragraph no. 3, this order will lose its force automatically.

11. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

U		T	
---	--	---	--

