

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61782 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- MOKAMAH District- Patna

Chandan Kumar @ Santosh Kumar @ Chandan Singh, Gender-Male, Age-42
years Son of Chunchun Singh, Resident of Mohalla - Moldiyar Tola, Ward
No. 12, P.S. - Mokama, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 25-09-2024 Heard Mr. Shashank Shekhar, learned counsel
appearing on behalf of the petitioner and Mr. Sanjay Kumar
Sharma, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Mokama P.S. Case No. 244 of 2024, registered for the
offence punishable under Sections 324, 307 and 34 of the Indian
Penal Code.

3. As per the allegation made in the FIR, petitioner
along with other accused person had assaulted the informant by
means of sharpened weapon, due to which, the informant had
sustained injury.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. General and omnibus allegation has been levelled against the petitioner. Due to dispute with respect to breaking queue for depositing money in bank, both the parties had entered into fierce fight and in course of the same, the petitioner side might have caused some injury to the informant, which was in self defence and not intentional. The injury sustained by the informant is simple in nature. 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 fact that due to dispute with respect to breaking queue for depositing money in bank, both the parties had entered into fierce fight and in course of the same, the petitioner side might have caused some injury to the informant, which was in self defence and not intentional. The injury sustained by the informant is simple in nature. Petitioner has clean antecedent. 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 learned District Court 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 ACJM-III, Barh (Patna), in connection with Mokama P.S. Case No. 244 of 2024, subject to the condition 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 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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