

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64839 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- BUNIYAD GANJ District- Gaya

1. Priyanka Devi W/o- Pintu Yadav Resident of village- Kumhar Toli, Harijan Dharmshala, Gere Road, P.S.- Buniyadganj, District-Gaya
2. Ramswaroop Yadav Son of Mahavir Yadav Resident of village- Kumhar Toli, Harijan Dharmshala, Gere Road, P.S.- Buniyadganj, District-Gaya
3. Raja Kumar @ Rohit Kumar Son of Chandrika Yadav Resident of village- Kumhar Toli, Harijan Dharmshala, Gere Road, P.S.- Buniyadganj, District-Gaya
4. Munna Yadav Son of Ramswaroop yadav Resident of village- Kumhar Toli, Harijan Dharmshala, Gere Road, P.S.- Buniyadganj, District-Gaya
5. Chunnu Yadav @ Chunnu Kumar Son of Ramswaroop Yadav Resident of village- Kumhar Toli, Harijan Dharmshala, Gere Road, P.S.- Buniyadganj, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-10-2024 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Buniyadganj P.S. Case No. 144 of 2024 registered under Sections 341, 337, 307, 338, 323, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., while the children of the petitioners and the informant were playing, in which one of petitioners' child assaulted the informant's child

and on protest, all the petitioners named in the F.I.R. assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the petitioners submitted that all together nine persons are named in the F.I.R. including the present petitioners and the allegation against them is general and omnibus that they all assaulted, in which three persons were injured and in absence of any injury attributable to any of the petitioners, who are having clean antecedents, seek to be released on bail.

5. Learned A.P.P. 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 nature of allegation against the petitioners being general and omnibus, I am of the opinion that the petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their 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) each with two sureties of the like amount each, to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya

in connection with Buniyadganj P.S. Case No. 144 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 antecedents of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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