

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67118 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- ISLAMPUR District- Nalanda

1. Sunil Kumar, aged about 37 years, Male, Son of Sundar Yadav
2. Mithlesh Kumar @ Chouli Kumar, aged about 24 years, male, Son of Musafir Yadav
3. Pappu Kumar, aged about 20 years, Male, Son of Ram Shekhar Yadav (C/o. Ram Pravesh Yadav Ke Nati)
All are Resident of Village - Rohinpar, Ugrah Bigha, Police Station - Islampur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-12-2024 Heard Mr. Anil Kumar Singh, learned counsel

appearing on behalf of the petitioners and Mr. Mohammad

Sufyan, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Islampur P.S. Case No. 137 of 2024 registered for the
offence(s) punishable under Sections 147, 148, 149, 341, 342,
323, 337, 338, 353, 354, 332, 333, 307 and 504 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, prior to one
day of Holi festival, accused persons, who were enjoying DJ
music, indulged into fierce fight and when they were stopped by



the police force, they misbehaved and obstructed the police force in performing their official duty.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation has been made against fifteen named accused and 25-30 unknown persons and the allegation against the petitioners is general and omnibus. He further submitted that similarly situated co-accused has also been granted bail by this Court vide Annexure P/3. Petitioners have clean antecedent.

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

6. Considering the nature of allegation made in the FIR, as well as, the fact that petitioners have clean antecedent, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned III, Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Islampur P.S. Case No. 137



of 2024 subject to the conditions 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 and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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