

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80680 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- KURLIKOT District- Kishanganj

Asrarul @ Asraul, aged about years (Male), S/o of Narul, R/o Village -
Birhabari, P.S. - Kurlikot, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abdul Mannan Khan, Advocate Mr. Avinava Kumar, Advocate Mr. Hafiz Shahbaz Arit, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2024 Heard Mr. Abdul Mannan Khan, learned counsel
appearing on behalf of the petitioner and Mr. Anant Kumar,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kurlikot P.S. Case No. 42 of 2023 dated 09.06.2023
registered for the offence punishable under Sections 341, 354,
379, 307, 325, 337, 323, 504 and 506/34 of the Indian Penal
Code.

3. As per the allegation made in the FIR, the accused
persons named therein had assaulted the informant by means of
hard blunt substance and specific allegation against the
petitioner is that he had assaulted the informant by means of
catapult, which caused injury on the head of the informant.



4. Learned counsel appearing on behalf of the petitioner submitted that injury sustained by the victim is simple in nature and there is no specific allegation that any head injury was caused as a result of the assault committed by catapult. 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 nature of allegation made in the FIR, as well as, the injury being simple in nature, which has been found on the head of the informant and petitioner has no criminal 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 arrest or surrender before the Court below 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 Judicial Magistrate First Class, Kishanganj in connection with Kurlikot P.S. Case No. 42 of 2023 dated 09.06.2023, subject to the condition 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 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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