

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1102 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. Kundan Kumar @ Kundan Paswan, aged 18(M), Son Of Hari Charan Paswan @ Hari Charan Paswan.
2. Dharamveer Ram @ Bhuvar Paswan @ Bhuvar, aged 45(M), Son Of Shivmuni Ram @ Shivmuni Paswan,
Both are resident Of Village - Jagwaliya, P.S. - Ara Mufassil, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Manoj Kumar, learned counsel
appearing on behalf of the petitioners and Mr. Ram Priya Sharan
Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Ara Muffasil P.S. Case No. 206 of 2023 dated 14.05.2023
registered for the offence punishable under Sections 341, 323,
324, 325, 326, 379, 307, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the allegation made in the FIR, the
petitioners along with the accused persons named therein had
assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioner. Direct allegation of assault is against co-accused Arvind Paswan, Rakesh Paswan and Umakant Paswan. Petitioner no. 1 has two criminal antecedent and petitioner no.2 has clean antecedent. On these grounds, petitioners seek 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 to be general and omnibus against the petitioners and specific allegation of assault is against co-accused Arvind Paswan, Rakesh Paswan and Umakant Paswan and some of them have been granted pre-arrest bail by a co-ordinate Bench of this Court. 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 Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like



amount each to the satisfaction of learned A.C.J.M., 7th Bhojpur at Ara, in connection with Ara Muffasil P.S. Case No. 206 of 2023 dated 14.05.2023, 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 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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