

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80502 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- KALYANPUR District- East Champaran

1. MALTI DEVI, Female, aged about 70 years, W/o Yamuna Bhagat @ Yamuna Prasad Kushwaha
 2. Munita Kumari @ Mamta Kumari , Female, aged about 19 years, D/o Bacha Prasad Kushwaha @ Vikash Prasad Kushwaha @ Bacha Prasad
 3. Chandani Kumari, Female, aged about 26 years, Wife of Rahul Kumar @ Rahul Kumar Kushwaha
 4. Yamuna Bhagat @ Yamuna Prasad Kushwaha, Female, aged about 71 years, Son of Late Tilak Bhagat
 5. Ramavati Devi, Female, aged about 40 years, Wife of Bacha Prasad Kushwaha @ Vikash Prasad Kushwaha @ Bacha Prasad
- All are R/o vill - Bahuara Harivansh, P.s. - Kalyanpur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2024 Heard Mr. Kundan Rathore@ Kundan Kumar,

learned counsel appearing on behalf of the petitioner and Mr.

Binod Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Kalyanpur P.S. Case No. 221 of 2023 dated 21.06.2023 registered for the offence(s) punishable under Sections 341, 342, 323, 324, 326, 307, 354(b)379, 504, 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the



petitioners had assaulted the informant and his family members and they also committed *loot-pat* in his house and disrobed the female members.

4. Learned counsel appearing on behalf of the petitioners submitted that there is no specific allegation against any of the petitioners rather the allegation is general and omnibus against them. It is further submitted that petitioners and informant are own *Patidar* and petitioners have clean antecedents. It is lastly submitted that there is case and counter case between the parties.

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

6. Considering the nature of allegation and also the fact that there is general and omnibus allegation against all the petitioners, 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East



Champaran/concern court Motihari in connection with
Kalyanpur P.S. Case No. 221 of 2023, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

