

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84200 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- DELHA District- Gaya

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1. Reena Devi, (Female), aged about 44 years, W/O Birendra Yadav.
 2. Gautam Kumar, (Male), aged about 16 Years, S/O Birendra Yadav.
 3. Abhay Kumar, (Male), aged about 18 Years, S/O Birendra Yadav.
 4. Jitendra Yadav, (Male) aged about 41 Years, S/O Late Keshori Yadav.
 5. Deepu Yadav, (Male), aged about 32 Years, S/O Ramjatan Yadav.
 6. Tannu Kumar @ Saurav Kumar (Male), aged about 17 Years, S/O Jitendra Yadav.
- All resident of Khakhura Durga Asthan, P.S.- Delhai, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-01-2024 Heard Mr. Sunil Kumar Yadav, learned counsel

appearing on behalf of the petitioners and Mr. Rajesh Kumar,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Delha P.S. Case No. 204 of 2023 registered for the offence
punishable under Sections 341, 323, 307, 354, 379, 504 and
506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein had outraged the modesty of the
informant and had also assaulted her girl child.



4. Learned counsel appearing on behalf of the petitioners submitted that general and omnibus allegation has been alleged against the petitioners no. 1, 2, 3, 5 and 6. Specific allegation against petitioner no. 4 is that he had assaulted the son of the brother-in-law of the informant, namely, Ajay Kumar. Petitioners have 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 being general and omnibus, the petitioners no. 1, 2, 3, 5 and 6, 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.-IV, in connection with Delha P.S. Case No. 204 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioners no. 1, 2, 3, 5 and 6 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 1, 2, 3, 5 and 6 what has been stated in paragraph no. 3, this order will lose its force



automatically.

8. So far as petitioner no. 4 is concerned, there is direction allegation against him that he had assaulted the victim, who had sustained head injury. The Court below is directed to verify from the injury report, as to whether, the injury sustained by the victim is grievous in nature. In case, the same is simple and without repeated blow, the petitioner may also be granted regular bail on the same day he surrenders before the learned Court below not beyond a period of two weeks.

9. In case of failure of complying this order, this order shall lose its force so far as petitioner no. 4 is concerned.

10. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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