

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80797 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- BALIA BELON District- Katihar

1. PUTLI DEVI, age 30 yrs., Female, W/O AJIT SINGH
 2. OMIKA DEVI @ OMEKA DEVI, age 45 yrs., Female, W/O DINA SINGH
 3. DOMA SINGH, age 40 yrs., Male, S/O LATE GOPI SINGH
 4. AJIT SINGH, age 40 yrs., Male, S/O BAGGHU SINGH
 5. MITHLESH KUMAR SINGH @ MITHLESH KUMAR, age 20 yrs., Male, S/O DOMA SINGH
- All are R/O- JALKAR BALUGANJ, PS. BALIA BELON, DISTT. KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2024 Learned counsel appearing on behalf of the petitioners seeks to withdraw the present petition with respect to petitioner no.4, as he has been arrested.

2. Accordingly, the present petition is dismissed as withdrawn so far it relates to petitioner no.4 is concerned.

3. Heard Mr. Sanjeev Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Ajit Kumar, learned APP for the State.

4. The petitioners seek pre-arrest bail in connection with Balia Belon P.S. Case No. 79 of 2023 dated 15.06.2023



registered for the offence(s) punishable under Sections 341, 323, 379, 307, 504, 506/34 of the Indian Penal Code.

5. As per the allegation made in the FIR, while the mother of the informant was taking bath in a tube-well, the accused persons named in the FIR has assaulted her by means of bamboo piece and when the informant came to the place of occurrence, one co-accused Sabo Devi assaulted on his head by means of *Dabia*, causing head injury to him.

6. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and specific allegation of assaulting the informant by means of *Dabia* is against Sabo Devo. Learned counsel further submitted that said Sabo Devi has already been granted bail by a co-ordinate Bench of this Court vide order dated 10.01.2024 passed in Cr. Misc. No.81645 of 2023. Petitioners have clean antecedents.

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

8. Considering the nature of allegation made in the FIR, as well as, the fact that specific allegation is against Sabo Devi, who has already been released on bail, the petitioner nos.1, 2, 3 and 5, 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 C.J.M., Katihar in connection with Balia Belon P.S. Case No. 79 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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