

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83968 of 2023

Arising Out of PS. Case No.-205 Year-2023 Thana- RAHUI District- Nalanda

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SUJEET YADAV S/O RAM BALI YADAV R/O VILLAGE- WENA, P.S-
RABUI (WENA), DISTT.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Bharti, Advocate.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 19-03-2024 Heard Mr. Arun Bharti, learned counsel appearing on

behalf of the petitioner and Mr. Damodar Prasad Tiwary, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Rahui (Wena) P.S. Case No. 205 of 2023 registered for the
offence punishable under Sections 341, 323, 307, 379, 504 and
506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the
petitioner along with other accused persons assaulted the
informant causing injury on his head and shoulder. Specific
allegation against the petitioner is that by means of iron rod he
assaulted on the shoulder of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that the injury caused by the petitioner on



the body of the informant is not on the vital part of the body and the injury on the shoulder, as per the opinion of the doctor, is simple in nature.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner. Referring to the injury report of the informant Lalita Devi, he submitted that the injuries are on the vital part of the body, as such, the petitioner who along with other co-accused had assaulted the victim Lalita Devi don't deserve to be released on bail.

6. Having considered the rival submissions made on behalf of the parties as well as the injury report, specific allegation against the petitioner is that he had assaulted on the shoulder of the victim and as per the opinion of the doctor, the same has been mentioned as scratch on left back of the shoulder region which is not on the vital part of the body, in my opinion, *prima facie*, the petitioner has made out a case to be released on 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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of



learned ACJM-I, Nalanda, Bihar Sharif in connection with Rahui
(Wena) P.S. Case No. 205 of 2023, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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