

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4162 of 2024

Arising Out of PS. Case No.-531 Year-2023 Thana- BELAGANJ District- Gaya

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Raushan Kumar S/O Naresh Singh Village- Dhindhaur Bigha, P.S. Belaganj,
Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ujjawal Kumar Singh, Advocate
		Mr. Jitendra Narain Sinha, Advocate
For the Opposite Party/s :		Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-02-2024 Heard Mr. Jitendra Narain Sinha, learned counsel

appearing on behalf of the petitioner and the learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Belaganj P.S. Case No. 531 of 2023, registered for the
offences punishable under Sections 341, 323, 325, 307, 504 and
506/34 of the Indian Penal Code.

3. The prosecution case is based on the written report
of the informant, alleging therein, that in the morning while the
informant was at her home, in the meantime, all the accused
persons, including the petitioner, came there and started abusing
and assaulting the informant and others by means of *lathi* and
danda. It is specifically alleged that, this petitioner, assaulted the



father-in-law of the informant by means of *fasuli*, causing cut injury on thumb. Other allegation has been levelled against other accused persons.

4. It is submitted on behalf of the petitioner that the informant is none-else but the sister-in-law (*bhabhi*) of the petitioner and she has instituted this case, on account of a family feud at the instance of the father of the petitioner. He further submits that in fact on account of a dispute, a free fight has taken place, resulting into injuries to the persons of both the sides. He next submits that there is a counter version of the present case being Belaganj P.S. Case No. 537 of 2023, instituted by co-accused 'Renu Devi'. He next submits that so far the injury sustained to the father-in-law of the informant is concerned, the nature of injury has not been discussed in the impugned order and, *prima facie*, it appears that it might be simple in nature on non vital part. He lastly submits that the petitioner is a man of fair antecedent and he undertakes that he will not indulge in such type of activities in future, and would co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that on account of the assault committed by the petitioner, the father-in-



law of the informant sustained a sharp cut injury over his thumb.

6. Regard being had to the submissions made on behalf of the parties and considering the relationship between the parties and the fact that the affidavit of the present application has been made by the mother-in-law of the informant, coupled with the fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 531 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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