

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1161 of 2024

Arising Out of PS. Case No.-69 Year-2018 Thana- BELHAR District- Banka

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1. Titu Yadav Son Of Late Rajo Yada @ Raju Yadav Resident Of Village- Rangmatiya, Ps- Belhar, Distt- Banka.
 2. Bhola Yadav @ Bhula Yadav Son Of Lata Rajo Yada @ Raju Yadav Resident Of Village- Rangmatiya, Ps- Belhar, Distt- Banka.
 3. Yashoda Devi Wife Of Titu Yadav Resident Of Village- Rangmatiya, Ps- Belhar, Distt- Banka.

... .. Petitioners/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners/s : Mr. Balram Kapri, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-01-2024 Heard Mr. Balram Kapri, learned counsel appearing on behalf of the petitioners and Mr. Brajendra Nath Pandey, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Belhar P.S. Case No.69 of 2018 dated 16.03.2018 registered under Sections 341, 323, 308, 354, 504, 427 and 506 read with Section 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons including the petitioners assaulted the informant and his family members and the informant has also sustained injury on his head.

4. Learned counsel appearing on behalf of the petitioners submitted that specific allegation of assaulting the informant by means of rod is on one co-accused Babu Lal Yadav. A general and omnibus allegation has been made against

the petitioner nos.1, 2 and 3 that they with a common intention had assaulted the informant.

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

6. Having considered the rival submission made on behalf of the parties, as well as, the fact that the petitioners were given benefit of Section 41(1) of the Cr.P.C. by the Police. The allegation being general and omnibus, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. Court below is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No.69 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J.)

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