

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1366 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- GANGTA District- Munger

Munna Kumar @ Munna Yadav Son of Babulal Yadav R/o vill - Jamghat, P.S.
- Gangta, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Singh, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2024 Heard Mr. Manoj Singh, learned counsel appearing
on behalf of the petitioner and Mr. Umesh Lal Verma, learned
APP for the State.

2. Petitioner seeks pre-arrest bail in connection with
Gangta P.S.Case No.182 of 2023, registered for the offences
punishable under Sections 341, 323, 324, 307, 385, 379, 504
and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, own brother
of the petitioner is the informant and the allegation against the
petitioner is of assaulting on the head of the informant with an
intention to kill him.

4. Learned counsel appearing on behalf of the
petitioner submitted that the informant had assaulted the father
of the petitioner. Petitioner and the informant are full brothers.



There is case and counter case between the parties due to the land dispute. Father of the petitioner had lodged an FIR bearing Gangta P.S.Case No.181 of 2023 before the informant lodged Gangta P.S.Case No.182 of 2023 on 15.09.2023. On these grounds, learned counsel for the petitioner seeks that the petitioner be released on pre-arrest bail

5. Learned APP for the State has submitted that the Doctor has reported that the injury is near to grievous, as such the petitioner does not deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as the, considering the nature of allegation made in the FIR, there is case and counter case between the parties and it appears that the petitioner in his self-defence may have caused injury to the informant, which is lacerated wound in nature on the head of the informant in his self-defence without any intention and subsequent to the case lodged by the father of the petitioner, in which the informant has been made accused, who is his own son and full brother of the petitioner. I am inclined to enlarge the petitioner on pre-arrest bail. The petitioner is directed to be released on pre-arrest bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Munger in connection with Gangta P.S.Case No.182 of 2023 subject to conditions 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 petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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