

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3819 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- SARMERA District- Nalanda

1. Praveen Kumar @ Sonelal, S/o- Mithilesh Prasad, Village- Gaushnagar PS- Sarmera, Dist- Nalanda.
2. Bipin Prasad @ Bipin Kumar, S/o- Late Kameshwar Mahto, Village- Gaushnagar, PS- Sarmera, Dist- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-02-2025 Heard Mr. Anil Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Ram Sevak Choudhary, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Sarmera P.S. Case No. 157 of 2024 registered under Sections 190, 191(3), 126(2), 115(2), 117(3), 109 (1), 76, 118, 352 of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, specific allegation is against one co-accused Murari Prasad, who had assaulted the informant by means of iron-rod, with repeated blow, with an intention to kill him.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. Learned counsel further submitted that so far as petitioner no.1 is concerned, there is no specific allegation that he had assaulted the informant rather the allegation is ornamental in nature that he misbehaved with the wife of the informant. So far as, the petitioner no.2 is concerned, allegation is that he was one, who had handed over iron-rod to the said co-accused Murari Prasad. On these grounds, the petitioners seek to be released on bail.

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

6. Considering the rival submissions made on behalf of the parties, as well as, the allegation made in the FIR that the specific allegation is against co-accused Murari Prasad, who is in custody and has caused repeated blow, causing grievous injury to the informant, and allegation made against the petitioners is ornamental in nature, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court 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, Nalanda at Biharsharif in connection with Sarmera P.S. Case No. 157 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J.)

Ashishsingh/-

U		T	
---	--	---	--

