

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17047 of 2025

Arising Out of PS. Case No.-491 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Birendra Singh S/o Late Bharat Singh R/o Village- Sevgar, P.S.- Udwantnagar, District- Bhojpur
2. Arun Singh S/o Late Bharat Singh R/o Village- Sevgar, P.S.- Udwantnagar, District- Bhojpur
3. Manish Kumar S/o Umesh Singh R/o Village- Sevgar, P.S.- Udwantnagar, District- Bhojpur

... .. 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.Navin Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-04-2025 Heard Mr. Anil Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Navin Kumar Pandey, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Udwantnagar P.S. Case No. 491 of 2024 registered for the offence punishable under Sections 109 and 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. As per the allegation made in the F.I.R., co-accused Rohit Kumar fired upon the informant and the petitioners along with other family members gave threatening to the informant.

4. Learned counsel appearing on behalf of the



petitioners submitted that the allegation of firing is upon co-accused Rohit Kumar and the petitioners, at best, may be considered to be members among seven co-accused. There is one criminal case pending against the petitioners which has also been filed by the informant's side. Both the informant and the petitioners are co-villagers. On these ground, learned counsel seeks that the petitioners be released on pre-arrest bail.

5. Mr. Raju Kumar Singh, learned counsel has tendered his appearance on behalf of the informant and submitted that the petitioners with an intention to kill the informant had assembled and fired upon the informant who is the eye witness and as such the petitioners don't deserve to be released on bail.

6. Having considered the rivals submissions made on behalf of the parties, as well as, the allegation made in the F.I.R., informant is the eye witness who has alleged that co-accused Rohit Kumar had fired upon him and he sustained injury in his head, no overt act has been alleged against the petitioners to have assaulted the informant or his any family member, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Udwanthnagar P.S. Case No. 491 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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