

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31364 of 2025

Arising Out of PS. Case No.-247 Year-2024 Thana- Mehendiya District- Arwal

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1. Pramila Kumari, D/o Sri Shyam Babu Saw, R/o Village- Bhikhanpur, Dhewai, P.S.- Mehandia, Distt.- Arwal (Bihar)
 2. Shyam Babu Saw, S/o Sri Shambhu Saw, R/o Village- Bhikhanpur, Dhewai, P.S.- Mehandia, Distt.- Arwal (Bihar)
 3. Shashikant Saw @ Shashikant Kumar @ Shashikant, S/o Sri Shambhu Saw, R/o Village- Bhikhanpur, Dhewai, P.S.- Mehandia, Distt.- Arwal (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar Sinha, Advocate
For the State	:	Mr. Harendra Prasad, Advocate
For the Opposite Party	:	Mr. Satyendra Kumar Bhatnagar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-05-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State as well as the learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Mehandia P.S. Case No. 247 of 2024, registered for the offences punishable under Sections 126(2), 115(2), 109, 117(2), 352, 3(5), 74 of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioners is of creating a commotion and causing assault to the informant and her family members.

4. Learned Advocate appearing on behalf of the



petitioners taking this Court through the FIR contended that omnibus nature of allegation has been levelled against altogether eleven persons, including the petitioners. However, on the fateful day, on account of a trifle both the parties have entered into a free fight, resulting into injuries to persons of both the side and giving rise to a counter case bearing Mehandia P.S. Case No. 248 of 2024, lodged by the petitioner no. 1 against the informant and others. It is further contended that so far the injury sustained to the informant and other family members are concerned, all have been found to be simple in nature. To support the aforesaid contention, injury report has also been placed on record as Annexure P/3 series. It is lastly contended that be that as it may, the petitioners have absolutely clean antecedent and they undertake that they will fully cooperate in the proceeding of the Court and would not indulge in such activities in future.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the simple nature of injury and the



factum of case and counter case as also the fair antecedent, let the petitioners above named be released on bail, in the event of their 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 Sub Divisional Judicial Magistrate, Arwal in connection with Mehandia P.S. Case No. 247 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 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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