

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30967 of 2025

Arising Out of PS. Case No.-66 Year-2024 Thana- IMAMGANJ District- Gaya

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1. Rupesh Kumar @ Rupesh Kumar Ram S/o- Binod Prasad Village- Chaungai PS-Raushanganj Dist- Gaya
 2. Dharmendra Prasad S/o- Ram Nandan Prasad Village- Gewalganj PS-Imamganj Dist- Gaya
 3. Amar Kumar S/o- Satyendra Prasad Village- Gewalganj PS-Imamganj Dist- Gaya
 4. Ravindra Prasad S/o- Ram Nandan Prasad Village- Gewalganj PS-Imamganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-05-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Imamganj P.S. Case No. 66 of 2024, registered for the offences punishable under Sections 147, 148, 149, 324, 325, 307 and 379 of the Indian Penal Code and Sections 3 and 4 of the Dayan Act, 1999.

3. While the informant was in her house along with her family members, all the FIR named accused persons, including the petitioners armed with *lathi*, *danda* and *tangi*



came there and started abusing her. In the meanwhile, when the husband of the informant came there, all of them brutally assaulted him, due to which he sustained severe injuries. It is further alleged that all the accused persons were suspecting the informant to be a witch.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that there is omnibus nature of allegation against all the 13 accused persons, including the petitioners. No specific allegation has been attributed to anyone and there is no independent eyewitness to the alleged occurrence. So far the injury sustained to the husband of the informant is concerned, though one of the injury is found to be grievous in nature, but admittedly the same is on non vital party. The petitioners are men of fair antecedent and they undertake that they will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime and the injury is found to be grievous in nature.

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



non vital part, 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) **each** with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sherghati, Gaya in connection with Imamganj P.S. Case No. 66 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that **(i)** one of the bailors shall be the own/close family members of the petitioners **(ii)** in case, the petitioners shall be found indulge in intimidating the informant and her family members or would indulge in such activities in future, the informant and the State shall be at liberty to file application for cancellation of their bail.

(Harish Kumar, J)

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