

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34153 of 2025

Arising Out of PS. Case No.-138 Year-2023 Thana- DARPA District- East Champaran

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1. Durbal patel S/o Sublal patel R/o Vill- Mahuawa, P.S.- Darpa, Distt- East Champaran
 2. Surendra patel S/o Sublal Patel R/o Vill- Mahuawa, P.S.- Darpa, Distt- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Superintendent of Police Motihari Motihari, East Champaran
3. The S.H.O. Darpa P.S.- Motihari East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 11-09-2025 Heard Mr. Sunil Kumar No.III, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Darpa P.S. Case No. 138 of 2023 registered for the offence(s) punishable under Sections 341, 323 and 308/34 of the IPC.

3. As per the allegation made in the FIR, the petitioners along with other accused assaulted the informant and his family members, causing injuries.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioners are innocent and have falsely been implicated in the present. He further submitted that the injury sustained by the informant and his family members is not clear, as to whether, the same is simple or grievous in nature.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, **the learned District Court is directed to call for the final opinion of the doctor in respect of the injury report of the injured persons and if it is found that the same is simple in nature, then in that case, the petitioners, above named, are directed to be released on pre-arrest 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – Ist Class, Motihari/ Concerned Court in connection with Darpa P.S. Case No. 138 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The learned 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 paragraph no.3 of the bail application,
this order will automatically lose its force.**

(Purnendu Singh, J)

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