

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36777 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- MEHANDIA District- Jehanabad

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1. Amresh Kumar @ Amresh Saw, aged about 27 years, Gender-Male, S/o- Jitendra Saw
 2. Subodh Kumar, aged about 29 years, Gender- Male S/o- Jitendra Saw
 3. Pramod Kumar, aged about 31 years, Gender- Male, S/o- Jitendra Saw.
- All the above petitioners are resident of Village- Kalandra, P.S.- Mehendiya District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramakant Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-06-2025 Heard Mr. Ramakant Singh, learned counsel appearing on behalf of the petitioners and Mr. Mritunjay Kumar Nirala, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the present bail application on behalf of the petitioner no. 1 (Amresh Kumar @ Amresh Saw) as he has already been arrested during the pendency of the present bail application.

3. Permission accorded.

2. The petitioners no. 2 and 3 seek pre-arrest bail in connection with Mahendiya P.S. Case No. 72 of 2024, registered



for the offence punishable under Sections 323, 341, 307, 354, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners have assaulted the informant and his family members causing injury.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners no. 2 and 3 are innocent and have falsely been implicated in the present case. Informant is own brother-in-law of the petitioners and allegations are not sustainable considering the fact that no such incidence ever took place. Injuries as has been described in the FIR are superfluous. It has been alleged against the petitioner no. 2 that he had assaulted the informant by means of *lathi* and petitioner no. 3 threw the mother of the informant on the ground. petitioners have clean antecedent. On these grounds, petitioners no. 2 and 3 seeks to be released on pre-arrest 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, allegation against the petitioner no. 2 that he had assaulted the informant by means of *lathi* and petitioner no. 3 threw the mother of the informant on the



ground. petitioners have clean antecedent. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners no. 2 and 3, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Arwal, in connection with Mahendiya P.S. Case No. 72 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 no. 2 and 3 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 2 and 3 as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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