

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41841 of 2025

Arising Out of PS. Case No.-139 Year-2022 Thana- GHORASAHAN District- East
Champaran

-
1. Subham Kumar @ Shubham Kumar, aged about 22 years, Gender, Male,
S/o Sikandar Rai
 2. Munna Kumar, aged about 33 years, Gender, Male, S/o Upendra Prasad
Both are R/o Village- Ghughawa, P.S.- Ghorsahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 16-07-2025 Heard Mr. Madhurendra Kumar, learned counsel

appearing on behalf of the petitioner and Mr. Parmanand

Kumar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Ghorasahan P.S. Case No. 139 of 2022 registered for the
offence(s) punishable under Sections 341, 323, 324, 307 and 34
of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioners assaulted the
informant by means of iron rod and knife, as a result of which,
he received nine injuries. The FIR is of the year 2022.

4. Learned counsel appearing on behalf of the



petitioner submitted that the petitioner no.1 had just emerged as an adult at the time of FIR and he was about 19 years and he being the student, was not aware of the alleged incident in which he has been made an accused. Learned counsel submitted that no reason has been assigned as to why the petitioner no.2 had not preferred anticipatory bail considering the fact that main allegation of having stabbed the informant is against co-accused Nand Kishore Yadav who has been released on pre-arrest bail by a co-ordinate Bench of this Court vide order dated 19.12.2023 passed in Cr. Misc. No.63384 of 2023. Petitioners have clean antecedent.

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

6. In the facts and circumstances of the case and also the fact that at the time of the filing of the present FIR, the petitioner no.1 was just 19 years old and allegation is general and omnibus against him, **the petitioner no.1, above named, is directed to be released on pre-arrest bail**, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-III, Sikrahana at Dhaka, East Champaran, Motihari in connection with Ghorasahan P.S. Case No. 139 of 2022, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. So far as petitioner no.2 is concerned, he may surrender before the learned District Court concerned and seek regular bail and he can also raise the point which he has taken that co-accused Nand Kishore Yadav has been released on pre-arrest bail by this Court and give reason, as to why, he had not availed any remedy which was available to him in accordance with law. In case the petitioner no.2 surrenders and makes a prayer for regular bail, the concerned learned District Court may consider it on the same day and pass a reasoned order.

8.The bail application stands disposed of.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

