

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46750 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- FESHAR District- Aurangabad

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1. Chhotu Singh, son of Arjun Singh Resident of Village- Barimal Ps- Phesar, Dist- Aurangabad
 2. Saurabh Singh son of Santosh Singh Resident of Village- Barimal Ps- Phesar, Dist- Aurangabad
 3. Sachin Singh son of Santosh Singh Resident of Village- Barimal Ps- Phesar, Dist- Aurangabad
 4. Santosh Singh Son of Late Ram Janam Singh Resident of Village- Barimal Ps- Phesar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Shailesh Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Arun Kumar Pandey, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Phesar P.S. Case No. 30/20258 registered for the offence(s) punishable under Sections 74, 75, 76, 79, 126(2), 115(2), 109, 351(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, one co-accused Mritunjay Singh tried to outrage the modesty of the informant and when her husband and family members went to



the house of said Mritunjay Singh to persuade him then the accused persons including the petitioners have assaulted her *Devar, Gotani* and father-in-law, as a result of which, they sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. He further submitted that general and omnibus allegation has been levelled against the petitioners, though the petitioners are named in the FIR. He accepts that petitioner no.1 has one criminal antecedent and rest of the petitioners have clean antecedents.

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, the fact that there is direct allegation against the petitioner, who is having one criminal antecedent, of assaulting the father-in-law of the informant, **I am not inclined to grant pre-arrest bail to the petitioner no.1.**

7. **So far as petitioners no.2, 3 and 4, above named are concerned,** considering the fact that general and omnibus allegations have been levelled against them and also the fact that



they have clean antecedents, **petitioners no.2, 3 and 4 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 Chief Judicial Magistrate, Aurangabad in connection with Phesar P.S. Case No. 30/2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the **petitioners no.2, 3 and 4**, and if it is found that they 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.

9. The bail application stands disposed of

(Purnendu Singh, J)

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