

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47250 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- BIRUPUR District- Lakhisarai

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1. Manish Kumar age about 26 Years (M), S/o Sanjay Mahto, R/o Village-Turkaijani, P.S. - Birupur, District- Lakhisarai.
 2. Shailesh Kumar age about 24 Years (M) S/o Avdesh Mandal R/o - Panapur, P.S - Korma, District- Sheikhpura,.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Rajesh Kumar, learned counsel appearing on behalf of the petitioners and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Birpur P.S. Case No. 17 of 2024, registered for the offence punishable under Sections 341, 323, 325, 354, 385, 504, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other accused persons, had entered into the house of the informant and had assaulted him and his family members.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have



falsely been implicated in the present case. General and omnibus allegation has been levelled against the petitioners. Specific allegation of assault is against one co-accused Abhay Kumar. Medical Officer of Referral Hospital, Barhiya has opined injury sustained by the informant to be simple in nature. Petitioner no. 1 has one criminal antecedent, in which, he is on bail and petitioner no. 2 has clean antecedent. On these grounds, petitioners seek 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, the fact that general and omnibus allegation has been levelled against the petitioners. Specific allegation of assault is against one co-accused Abhay Kumar. Injury sustained by the informant has been found to be simple in nature. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the



like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Lakhisarai, in connection with Birpur P.S. Case No. 17 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 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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