

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56047 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

1. Sanjay Rai son of Suresh Rai
2. Punit Kumar son of Surendra Rai
3. Suresh Rai son of Shiv Nath Rai
4. Surendra Rai son of Shiv Nath Rai
5. Harendra Rai son of Late Sri Rai
6. Vikky Kumar son of Late Shambhu Rai
All the resident of Village - Ram Nagar, PS- Chapra Muffasil Dist- Saran
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-01-2025 Heard learned counsel appearing on behalf of the
petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with
Chapra Muffasil P.S.Case No.64 of 2024 registered for the
offences punishable under Sections 341, 323, 307, 354(B), 379,
504 and 506/34 of the Indian Penal Code .

3. As per the allegation made in the FIR, all the
accused persons including the petitioners in intoxicated
condition outraged the modesty of the informant and assaulted
one Raju Kumar Rai, who sustained head injury, which is
grievous in nature and the said injury is attributable to all the
accused persons.

4. Learned counsel appearing on behalf of the



petitioners submitted that the injury of Raju Kumar Rai is grievous in nature, which is attributable to petitioner no.1 (Sanjay Rai). So far as petitioner nos. 2 to 6 are concerned, the allegation against them is general and omnibus. Learned counsel further submitted that both the parties are neighbours and the incident took place due to garbage disposal.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners and submitted that with a common intention, all the accused persons including the petitioners assaulted Raju Kumar Rai, who sustained head injury and the Doctor has opined the same is grievous in nature.

6. Having considered the rival submissions made on behalf of the parties, as well as, perused the allegation made in the FIR and the case diary, I found that in course of the investigation, it has been found that the petitioner no.1 (Sanjay Rai) has assaulted the victim, Raju Kumar Rai and the injury is grievous in nature, for which the victim underwent medical treatment at the hospital.

7. Accordingly, the prayer for grant of pre-arrest bail to petitioner no.1 (Sanjay Rai) is rejected.

8. So far petitioner nos.2 to 6 are concerned, there is



general and omnibus allegation against them.

9. The petitioner Nos. 2 to 6 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/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Saran at Chapra/concerned court, in connection with Chapra Muffasil P.S.Case No.64 of 2024, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

10. The learned district court is directed to verify the criminal antecedent of the petitioner nos. 2 to 6 and if it is found that the petitioner nos. 2 to 6 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.

11. The present bail application is accordingly disposed of.

(Purnendu Singh, J)

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