

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57142 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- GAMAHARIYA District- Madhepura

1. Deepak Kumar @ Lambu Son Of Bechan Yadav, R/V- Village- Jogvani,
Ward No. 15, P.S.- Gamharia, Distt.- Madhepura
2. Mithu Kumar Son Of Bechan Yadav, R/V- Village- Jogvani, Ward No. 15,
P.S.- Gamharia, Distt.- Madhepura
3. Thithu Kumar @ Prashant Kumar Son Of Bechan Yadav, R/V- Village-
Jogvani, Ward No. 15, P.S.- Gamharia, Distt.- Madhepura
4. Tara Devi Wife Of Bechan Yadav, R/V- Village- Jogvani, Ward No. 15, P.S.-
Gamharia, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, APP
For the Informant : Mr. Bam Bahadur Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 18-01-2025 Heard Mr. Ranjay Kumar Singh, learned counsel
appearing on behalf of the petitioners; Mr. Ajit Kumar, learned
APP for the State and Mr. Bam Bahadur Jha, learned counsel
appearing on behalf of the Informant.

2. The petitioners seek pre-arrest bail in connection



with Gamahariya P.S. Case No. 61 of 2024 registered for the offence(s) punishable under Sections 341, 347, 323, 324, 325, 448, 427, 380, 354(B), 307, 504, 506, 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons, including the petitioners, assaulted the family members of the informant. Specific allegation is against one co-accused Bechan Yadav, who had assaulted on the head of the son of the informant, causing grievous injury to him.

4. Learned counsel appearing on behalf of the petitioners submitted that the said injury not attributable to any of the petitioners. There is case and counter case between the parties, arising out of the said incident, in which the petitioners' side may have caused some injuries on the persons of the informant. On these grounds, the petitioners seeks to be released on bail.

5. Mr. Bam Bahadur Jha, learned counsel appearing on behalf of the Informant has vehemently opposed the prayer for grant of pre-arrest bail. He submitted that there is direct allegation against the petitioner no.1 namely Deepak Kumar @ Lambu, however, he admits that general and omnibus allegation has been levelled against the petitioner nos.2, 3 and 4.



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

7. Having considered the rival submissions made on behalf of the parties, as well as, the fact that specific allegation is against petitioner no.1 namely Deepak Kumar @ Lambu that he had outraged the modesty of the informant, I am not inclined to grant bail to the petitioner no.1.

8. So far as petitioner nos.2, 3 and 4 are concerned, in view of the fact that general and omnibus allegation has been levelled against them the petitioner nos.2, 3 and 4, 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. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned JM Ist, Madhepura in connection with Gamahariya P.S. Case No. 61 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner(s), as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner(s), as what has been stated in paragraph no. 3, this order will lose its force automatically.



10. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J.)

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