

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61539 of 2025**

Arising Out of PS. Case No.-260 Year-2019 Thana- MUNGER MUFFASIL District- Munger

Md. Sonu @ Sonu @ Md. Shahnbaz Alam @ Shahnbaz Alam, aged about 22 years, Male, S/O Md. Gholtan @ Ekbal R/O Village/Muhalla - Bardhay, P.S - Muffasil, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Advocate
For the Opposite Party/s : Mr.Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 10-09-2025 Heard Mr. Sanjiv Kumar Singh learned counsel appearing on behalf of the petitioner and Mr. Parmanand Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Muffasil P.S. Case No. 260 of 2019 registered for the offence(s) punishable under Sections 341,323,324,326,354,307,34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioner had assaulted the son of the informant by means of lathi, i.e. hard blunt substance and thereafter they also fired upon him, which missed to hit anyone. The accused persons assaulted the informant and also



tried to outrage her modesty. .

4. Learned counsel appearing on behalf of the petitioner submitted that all the accused persons named in the FIR have already been granted pre-arrest bail by the learned District Court. The petitioner has been made accused in the present case due to enmity on false accusation. The injury alleged to have been caused by means of hard blunt substance on the head and the doctor at Bhagalpur has opined that there is no bony injury. On these grounds, learned counsel submitted that in absence of any bony injury and final opinion of the doctor of the Bhagalpur Government hospital the opinion derived on the basis of injury report for rejecting the bail application of the petitioner by the learned District Court is not justified and the petitioner deserves to be released on pre-arrest bail, who is having clean antecedent.

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 previous enmity between the parties, I find it proper to direct the learned District Court **to call for the final injury report of the injured and see that whether the injury is grievous, as has been opined by the**



doctor of Munger Sadar Hospital on the date the informant was admitted there,i.e. on 04.09.2019. **In case, the injury is found to be simple in nature then in that case, the petitioner, 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 six 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 C.J.M., Munger in connection with Muffasil P.S. Case No. 260 of 2019, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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