

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75301 of 2024

Arising Out of PS. Case No.-265 Year-2023 Thana- PARAIYA District- Gaya

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Santosh Kumar (M) aged about 19 years son of Satyendra Yadav @ Satendra
Yadav resident of Village- Maranchi, P.S.- Paraiya, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 14-02-2025 Heard Mr. Prithivi Raj Singh, learned counsel
appearing on behalf of the petitioner and Mr. Chandra Sen
Prasad Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Paraiya P.S. Case No. 265 of 2023, registered for the
offence punishable under Sections 147, 148, 149, 323, 325 and
307 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioner
along with other accused persons, had assaulted the informant
and his friends by means of *lathi*, iron-rod and pistol, due to
which, they had sustained injuries.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. General and omnibus allegation has been levelled against the petitioner. There is case and counter case between the parties and due to some dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury to the person of the informant without intention, which as per the opinion of the doctor, found to be simple in nature. Petitioner has clean antecedent. On these grounds, petitioner seeks 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 nature of allegation made in the FIR, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Gaya, in connection with Paraiya P.S. Case No. 265 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is



pending against the petitioner as what has been stated in
paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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