

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60446 of 2021**

Arising Out of PS. Case No.-187 Year-2021 Thana- NAWANAGAR District- Buxar

1. Chintu Singh Son of Shatrughan Singh
2. Amit Kumar Son of Shatrughan Singh Both Resident of Village - Kukurbhuka, P.S.- Nawanager (Badudeva O.P.), District - Buxar.

... .. Petitioner/s

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 27-10-2021 Heard Sri Satpal Singh, learned counsel for the
petitioner sand learned counsel for the State.

Petitioners seek anticipatory bail in Nawanager (Basudeva O.P) P.S. Case no. 187 of 2021 registered for the offence punishable under sections 341, 323, 307, 325, 379, 504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant- Ajay Rai aged about 55 years has alleged that on 02.06.2021 at about 7 a.m. while he was in his field, his agnate Chintu Singh (petitioner no.1) along with his brothers Amit Kumar and Sudhir Kumar came armed with **Lathi**, iron rod, **Rama** and started abusing the informant. Chintu Singh with



Rama assaulted Sanjit Rai, son of the informant leading to injury on his head and thereafter, Amit Kumar assaulted the informant with iron rod leading to fracture of hand of the informant and Sudhir snatched his gold chain. Learned counsel for the petitioners further submits that informant and the petitioners are related and there is land dispute between the parties and as such petitioners have been falsely implicated in this case.

On comparison of the allegation as alleged in the FIR, it appears that Amit Kumar (petitioner no.2) assaulted the informant which led to fracture of right arm and the doctor has also opined that injury to be grievous. As far as assault on Sanjit Rai by Chintu Singh is concerned, doctor has opined that injury to be simple in nature as is evident from Annexure 2 to the anticipatory bail application. This Court is not inclined to grant privilege of anticipatory bail to Amit Kumar (petitioner no.2) as injury inflicted on the informant, though not on vital part of the body but appears to be grievous in nature and it is fit case for regular bail. Hence his prayer for anticipatory bail is rejected.

Considering the facts, in the event of arrest/surrender within ten weeks from today, petitioner no.1 (Chintu Singh) is



directed to be released on anticipatory bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Nawanagar (Basudeva O.P) P.S. Case no. 187 of 2021 subject to the condition under section 438(2) Cr.P.C.

(Satyavrat Verma, J)

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