

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22932 of 2024

Arising Out of PS. Case No.-651 Year-2023 Thana- SABAUR District- Bhagalpur

Nawal Singh @ Nawal Kishore Singh S/o Jagdish Singh R/o Vill - Nadiyama,
P.S. -Goradih (Sabour), Dist. - Bhagalpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-07-2024 Heard learned counsel appearing on behalf of the

petitioner and Mr. Navin Kumar Pandey, learned A.P.P. for

the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Sabour (Goradih)
P.S. Case No. 651 of 2023, registered for the offences
punishable under Sections 147, 148, 149, 307, 504, 506 of
the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against petitioner is to assault the
informant and others alongwith co-accused persons, causing
head and bodily injuries, having intention to cause their
death, where occurrence is alleged to be arises out of land
dispute.



4. Learned counsel appearing on behalf of the petitioner submitted that allegation *qua* physical assault is appearing very much general and omnibus against petitioner, where from the narration of F.I.R., it appears that this is not a case of bodily injuries. It is submitted that the allegation is omnibus to open fire by petitioner, but it is nowhere appears out of narration of F.I.R. that same was caused with intention to cause death of informant and others. It is submitted that for the same set of occurrence petitioner's side also lodged a case, which has been registered as Sabour (Goradih) P.S. Case No. 652 of 2023.

5. Learned A.P.P. for the State, while opposing the prayer of bail, submitted that petitioner actively participated during the occurrence.

6. Considering the aforesaid facts and circumstances and by taking note of fact, as allegation *qua* opening fire is appearing very much general and omnibus against petitioner, which is appearing *prima facie* that same were not made with intention to cause death of informant in the background of land dispute, accordingly, above-named



petitioner, in the event of his arrest or surrender before the learned trial court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur/concerned Court, where the case is pending in connection with Sabour (Goradih) P.S. Case No. 651 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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