

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28518 of 2024

Arising Out of PS. Case No.-326 Year-2023 Thana- JALALPUR District- Saran

Prince Kumar Singh @ Prince Kumar S/o- Shailesh Kumar Singh Village-
Bhatkeshri Ps- Jalalpur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh,

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 05-08-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 325, 379 and 34 of the IPC in connection with Jalalpur P.S. Case No.326 of 2023.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that dispensary is in the name of his son Pankaj, which is run by his brother Shailesh and is used for illegal business of liquor, which was objected by the informant on the ground that why the dispensary is being used for illegal purpose without removing the name of his son, further on 01.12.2023 while informant along with his son were sitting at their door when the



accused persons came along with the petitioner and four unknown variously armed with lathi, danda, rod and assaulted them causing injury and even fractured the right palm of his son.

4. The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the allegation of assault is general and omnibus in nature. It is also submitted that petitioner is nephew of the informant and from the side of petitioner Jalalpur P.S. Case No.317 of 2023 came to be instituted with an allegation that Shailesh was assaulted by farsa by Pankaj (son of the informant) causing injury on thumb, on account of dispute relating to parking of vehicle. It is next submitted that father of petitioner i.e. Shailesh is a homeopathic doctor who runs the clinic in the name of Pankaj Sewa Sadan and the informant intends to grab his self earned property, it is next submitted that petitioner vehemently asserts and submits that his father is not involved in illegal business of liquor and no case under the excise act ever came to be instituted against him. It is next submitted that out of three injuries, two injuries are simple in nature while injury no.1 is grievous which is incised wound on mid scalp, but then allegation of assault is general and omnibus in nature.



5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 13, Saran at Chapra in connection with Jalalpur P.S. Case No.326 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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