

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39430 of 2024

Arising Out of PS. Case No.-585 Year-2023 Thana- MADHUBAN District- East Champaran

Amit Kumar Singh S/O Ram Babu Singh R/O VILLAGE- MADHOPUR,
P.S- MADHUBAN, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. The State Of Bihar patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh
For the Opposite Party/s : Mr.Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Madhuban P.S Case No. 585 of 2023 dated 28.11.2023
registered for the offence punishable u/s 147, 148, 149, 341, 323,
324, 307, 385, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-
accused person holding weapons came and started abusing the
informant and they also demanded Rs. 10,00,000/- as extortion
money (*rangdadi*) from the informant. When the informant stated to
them that Nitesh Kumar and Chandrashekhar have executed the said
land in his favour, then the petitioner Amit Kumar Singh gave
repeated blow of *farsa* on the head of the informant with an intention



to commit murder due to which he sustained head injury, when the son of the informant came to rescue him, all the accused persons brutally assaulted him due to which he sustained injury on his chest. Further, accused Sumit Kumar and Nitesh Kumar wrapped the *gamcha* around the neck of the informant's son with an intention to kill him. In the meantime, the accused Kundan Kumar Singh fired on the informant's son.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. Learned counsel has further submitted that there is a case and counter case between the parties and the petitioner side also lodged an F.I.R. bearing Madhuban P.S. Case No. 586 of 2023 against the informant and others and as per the F.I.R. itself, there is a land dispute between the parties. There is no repetition of blow. The petitioner has no intention to cause death of the informant. The informant sustained lacerated wound on his left temporal region of size 1 1/2" x 1/8" x 1/8" whereas the allegation against the petitioner is of inflicting repeated blows of sword. The other injured also sustained simple injury. The co-accused has already been granted anticipatory bail by this court vide order dated 23.05.2024 passed in Cr. Misc No. 31803 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner.



6. Considering the aforesaid facts and circumstances of the case, as well as the nature of allegation levelled against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Madhuban P.S Case No. 585 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure, with further condition/s-:

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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