

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41853 of 2024

Arising Out of PS. Case No.-5 Year-2021 Thana- SINDHIYA District- Samastipur

1. Raj Kumar Singh @ Nakul Singh SON OF Late Ram Nihora Singh @ Braj Kishore Singh VILLAGE- KUNDAL, PS- SINGHIA, DIST- SAMASTIPUR
2. Sumit Kumar Singh @ Sumit Kumar Son Of Raj Kumar Singh @ Nakul Singh Village- Kundal, Ps- Singhia, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shanker Singh, Adv.
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Singhia P.S. Case No. 05 of 2021 dated 10.01.2021 registered for the offences punishable u/ss 147, 307, 323, 324, 341, 354, 379, 506 of the Indian Penal Code.

4. As per the prosecution case, the petitioners and the other co-accused persons holding pistol, khanti, iron rod and sword are alleged to have assaulted the informant's husband and her son. The co-accused Nakul Kumar and Manoj Singh slammed the informant on the ground and after catching hold of her and tore her blouse. They assaulted on her head with the butt



of pistol causing injury. The co-accused, Pankaj Devi also snatched Mangalsutra from her neck.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is land dispute between the parties. There is case and counter case between the parties. Learned counsel has further submitted that the injuries are simple in nature. Learned counsel has further submitted that the petitioners have no concern with the alleged offence. The co-accused person has already been granted anticipatory bail by this court vide order dated 05.02.2024 passed in Cr. Misc. No. 84437 of 2023. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Rosera,



Samastipur in connection with Singhia P.S. Case No. 05 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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