

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63485 of 2024

Arising Out of PS. Case No.-2 Year-2018 Thana- KHIJARSARAI District- Gaya

1. Kishori Singh @ Yugal Kishore Singh @ Jagat Kishore Singh, son of Late Chabila Singh @ Ram Chabila Singh, R/o village- Bara, P.S.- Khizarsarai, Dist- Gaya
2. Amarendra Singh, son of Late Nunu Singh, R/o village- Bara, P.S.- Khizarsarai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 05-10-2024

1. Heard Mr. Ashutosh Singh, learned counsel for the petitioners and Mr. Pramod Kumar Pandey, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Khizarsarai P.S. Case No. 02/2018 dated 01.01.2018 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 325, 307, 385, 387, 379, 504 and 506 of the Indian Penal Code (in short 'IPC').

3. Learned counsel appearing for the petitioners submits that prior to the FIR of the present matter, the police case bearing Khizarsarai P.S. Case No. 1/2018 was registered for the offences under Sections 147, 148, 149, 341, 323, 354,



379, 447, 427, 504 and 506 of IPC by the wife of co-accused, namely, Sanjay Singh and the occurrence of said Khizarsarai P.S. Case was related to offence of loot committed in the house of said co-accused Sanjay Singh by the prosecution party and others and in retaliation, the FIR of the present matter was lodged by the informant and further, only one person, namely, Ajay Tiwari is said to have sustained injuries in the alleged occurrence and on his person, only two injuries were found, one was on his knee and second was on his right hand and the second injury was found to be grievous in nature and that was not on vital part of his body. Learned counsel further submits that the Assistant Sub-Inspector, namely, Sanjeev Kumar has also lodged the FIR at Khizarsarai police station bearing No. 4/2018 against 40-50 unknown persons of the locality of the prosecution party and that matter was related to a quarrel having taken place between two groups of the villagers.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the facts and circumstances of this case as well as above submissions and mainly the fact that as per the above submission, only one person is said to have sustained injuries in the alleged occurrence and no injury on his



vital part has been found, in my opinion, it is a fit case for anticipatory bail to the petitioners. Accordingly, let both the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Khizarsarai P.S. Case No. 02/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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