

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63439 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

1. Jamadar Singh Son of Late Palita Singh R/o - Gauri, P.S - Mohammadpur, District - Gopalganj
2. Dhruv Singh @ Dhruv Singh son of Late Palita Singh R/o - Gauri, P.S - Mohammadpur, District - Gopalganj
3. Sunil Singh son of Dhruv Singh @ Dhruv Singh R/o - Gauri, P.S - Mohammadpur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-10-2024 Heard Mr. Umesh Kumar Singh, learned counsel for the petitioners and Mr. Rana Randhir Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Mohammadpur P.S. Case No. 128/ 2024 dated 26.05.2024 registered for the offence(s) punishable under Section(s) 341, 323, 325, 307, 354B, 379, 504, 506 read with section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that the petitioners and the informant, so-called injured are co-villagers and as per the F.I.R., the



informant and his wife are said to have sustained injuries in the alleged occurrence and their injury reports have been filed with this petition as Annexure-P-2 series and the same goes to show that the informant sustained four injuries out of them two have been found as bruises and third injury has been found as a lacerated wound in the size of 1"x ¼" with pain and swelling 3"x2" on left forehead and fourth injury has been opined as pain and swelling 4"x4" on left knee. Accordingly, the said injuries do not support the use of sharp edged weapon *Farsa* as alleged by the informant in the F.I.R. and the fracture injury sustained by the wife of the informant on her right wrist has been specifically attributed to co-accused, Jaiki Singh who is not a petitioner here. It is further submitted that all the petitioners have fair and clean antecedent and a land dispute running between the parties is said to be the genesis of the occurrence.

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

5. Considering the facts and circumstances of this case as well as the above submissions and taking into account the nature of injuries sustained by the informant and his wife, as discussed above, coupled with the fair and clean antecedent of petitioner No.1 and 2, this court is inclined to give the relief of



anticipatory bail to petitioners No.1 and 2. Accordingly, let the petitioners No. 1 and 2 named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Mohammadpur P.S. Case No. 128/ 2024 on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

6. So far as petitioner No.3, Sunil Singh is concerned, he is alleged to have assaulted on the vital part of the body of the informant, so, considering this aspect this court is not inclined to give the relief of anticipatory bail to petitioner No.3. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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