

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67963 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- CHENARI District- Rohtas

1. Jagta Singh @ Jagtanand Singh Son of Mahendra Singh Resident of Village - Doiya, P.S. - Chenari, District - Rohtas
2. Suchit Singh Son of Mahendra Singh Resident of Village - Doiya, P.S. - Chenari, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Tiwari
	:	Mr. Shailendra Kumar Singh
	:	Mr. Karu Kumar
For the Opposite Party/s	:	Mr. Nawal Kishore Pd. (APP)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Chenari Police Station Case No. 398 of 2023, disclosing offences under Sections 341, 323, 326, 379, 307, 504, 506, 34 of the Indian Penal Code.

3. As per the FIR, on 26.11.2023 at about 8:00 am, the informant and her husband was going towards the field when she saw the petitioners and other accused persons were already present there. One Jagdanand Singh (petitioner) caught informant's husband. Informant tried to flee but other co-accused Sunil and Chandan pulled the informant down and dragged her to her husband. It has also been alleged that Jagta



Singh ordered to urinate in mouth of informant's husband and upon his orders, one Nagendra did the same. It is further alleged that Jagta Singh assaulted the husband of the informant with a sharp cutting weapon on his head and other co-accused persons assaulted with sticks and rods. On seeing the the crowd of villagers, the accused persons fled away and accused Bhuneshwar Singh snatched silver locket of Hanumanji from the neck of informant's husband and accused Sachita Singh took money from his pocket.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to previous land dispute between the informant and the petitioners. He next submits that occurrence took place on 29.11.2023 and the FIR was lodged on 01.12.2023 i.e., after a delay of three days. He next submits that there is no specific allegation of assault against the petitioner no. 2. Insofar as petitioner no. 1 is concerned, there is specific allegation of assault against him that he assaulted the informant's husband with a sharp cutting weapon but the doctor found the injury caused by hard and blunt substance.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that there is



general and omnibus allegation against petitioner no. 2, I am inclined to grant the petitioner no. 2 privilege of anticipatory bail. Insofar as petitioner no. 1 is concerned, there is specific allegation of assault against him that he assaulted the informant's husband with sharp cutting weapon on his head, injury caused to victim is grievous in nature and he has criminal antecedents, I am not inclined to grant the petitioner no. 1 privilege of anticipatory bail. Accordingly, prayer for bail of petitioner no. 1 is rejected.

6. This application is, partly, allowed to the extent indicated above.

7. Let the petitioner no. 2, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Rohtas at Sasaram, in connection with Chenari Police Station Case No. 398 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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