

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72424 of 2024

Arising Out of PS. Case No.-246 Year-2024 Thana- SIKANDRA District- Jamui

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1. Barun Kumar @ Barun Singh Son of Late Sukhdev Singh Village- Keyar, P.S.- Sikandara, Dist.- Jamui.
 2. Uday Kumar @ Uday Singh @ Uday Kumar Singh Son of Parmanand Singh Village- Keyar, P.S.- Sikandara, Dist.- Jamui
 3. Dharamraj Kumar @ Fultun Son of Parmanand Singh Village- Keyar, PS- Sikandara, Dist.- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramadit, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 29-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sikandara Police Station Case No. 246 of 2024, disclosing offences under Sections 191(2), 190, 126(2), 115(2), 117(2), 109, 352 and 351 of the B.N.S.
3. The prosecution story, as per the F.I.R. is that on 25.07.2024, when the informant was going to his field, the petitioners along with other co-accused, armed with rifle, pistol, rod and lathi etc., surrounded him and the petitioner nos. 2 and 3 fired from pistol, which



did not hit. Thereafter co-accused Vivek Kumar assaulted the informant by iron-rod which caused him fracture in right hand. It has been further submitted that petitioners and other accused persons assaulted on the different part of the body of the informant.

4. Learned Counsel for the petitioners submits that there is general and omnibus allegation against the petitioners. The specific allegation of assault is upon co-accused Vivek Kumar, which caused fracture of hand of the informant. In the injury report, it would be apparent the injuries sustained by the informant is grievous in nature, but the same is not attributable to the petitioners. The Petitioner nos. 2 and 3 fired from pistol which did not hit. There is land dispute between the parties.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the nature of allegation and the fact that there is land dispute between the parties and the injury caused to the informant on his hand is not attributable to the petitioners, I am inclined to grant the petitioners privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Sikandara Police Station Case No. 246 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Anil Kumar Sinha, J)

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