

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75467 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- SANDESH District- Bhojpur

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1. Rajnath Singh @ Raj Nath Singh S/O Late Lal Jee Singh Resident of Village- Bichhiyaon, P.S- Sandesh, District- Bhojpur at Arrah.
 2. Shree Om Singh S/O Raj Nath Singh Resident of Village- Bichhiyaon, P.S- Sandesh, District- Bhojpur at Arrah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-11-2024 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Sandesh PS case no. 142 of 2024, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that informant is the full brother of petitioner no. 1. On 18.05.2024, informant went to the house of petitioner no. 1 and told him to compromise in the case and counter case. On this, petitioner no. 1 ordered petitioner no. 2 to come with a



pistol and kill the informant. Thereafter, petitioner no. 2 came with a pistol and he fired three rounds, he also assaulted the informant with knife causing injury on his head, chest and other parts of the body. On the alarm being raised by the informant, his son came to rescue him but petitioner no. 2 attacked upon him with knife, due to which, he sustained injuries on his wrist and left ear.

4. Learned Counsel for the petitioners submits that petitioner no. 1 is the full brother of the informant and both parties are having previous land dispute. Learned counsel further submits that the allegation that petitioner no. 2 opened fire is concocted, however no body has sustained any firearm injury. He also submits that prior to lodging of this case, the informant has lodged a case bearing Sandesh PS Case No. 60 of 2017 against the petitioners, in which the petitioner are on bail. Referring to the impugned order, learned counsel submits that injuries are not grievous in nature, as the same has not been discussed in the impugned order and it is only said that the injuries are on the vital parts of the body.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are closely related and there is previous land dispute



and enmity between them, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six 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, Bhojpur at Arrah in connection with Sandesh PS case no. 142 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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