

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17 of 2024**

Arising Out of PS. Case No.-238 Year-2023 Thana- AMNAUR District- Saran

Niraj Singh @ Niraj Kumar @ Kumar Niraj son of Late Bijendra Prasad  
Singh R/o vill-Khoripakar Kharg, PS-Amnour, Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                                 |
|----------------------|---|---------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Krishna Pd. Singh, Sr. Advocate with<br>Mr. Chandra Shekhar Singh, Advocate |
| For the State        | : | Ms. Anita Kumari, APP                                                           |
| For the Informant    | : | Mr. Avinash Kumar Pandey, Advocate                                              |

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      24-01-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Amnour P.S. Case No. 238 of 2023 dated 24.09.2023 instituted  
for the offence punishable under Sections 341, 323, 324, 307,  
379, 504, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on  
21.09.2023, the petitioner along with other named accused  
persons was erecting shed at the land of the informant. On  
protest made by the informant, all the accused persons started  
assaulting the informant and his nephew with iron rod and  
danda, due to which the informant sustained injury in his left  
hand finger and his nephew sustained injury in his head.



Allegation against the petitioner is that he snatched gold chain from the neck of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation of assault against the petitioner, rather specific allegation of assault is against the two accused persons, namely, Sudhir Kumar Singh and Sunil Kumar. Allegation against the petitioner is only for snatching chain from the informant. Learned counsel for the petitioner submits that for the same occurrence, the petitioner's side has filed a case bearing Amnour P.S. Case No. 230 of 2023 on 29.09.2023 under Section 307 of the Indian Penal Code and its allied sections against the informant's side, in which petitioner's side sustained grievous injury, and after one day, the present F.I.R. has been lodged by the informant against the petitioner. Learned counsel for the petitioner further submits that petitioner is working as peon in the Government High School Apahar, Saran. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. On the other hand, learned A.P.P. for the State as well learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioner, and submitted



that specific allegation of snatching gold chain from the informant is against the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Amnour P.S. Case No. 238 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M VIII, Saran subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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