

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1995 of 2025

Arising Out of PS. Case No.-236 Year-2024 Thana- KALYANPUR District- East Champaran

Abhishek Singh @ Abhishek Kumar Son of Bipin Singh Resident of Village -
Madhopur Damu, P.S.- Kalyanpur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 24-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No.236 of 2024 registered for the offences punishable under Sections 127(1), 127(2), 115(2), 118(1), 109, 303(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The allegation in the First Information Report is that as many as nine accused persons are said to have assaulted the informant by means of lathi, danda and specific allegation on petitioner is that he assaulted the informant by means of a knife upon his head.

4. Learned counsel for the petitioner submits that a perusal of the FIR would itself go to show that there is a general



and omnibus allegation on all nine accused persons of having assaulted the informant and eight, out of the nine accused persons, have been granted the privilege of anticipatory bail by the order by which the anticipatory bail of the present petitioner was rejected. As against the specific allegation upon the petitioner of assault upon the head, the injury report in paragraph 14 of the case diary would go to show that although there are two injuries on the head but the same are simple in nature.

5. Learned counsel for the petitioner further submits that the petitioner is the Pattidar of the informant and there is a dispute with regard to a plot of land. Further submission is that there is a case and counter case and the case filed on behalf of the petitioner has been brought on record by way of Annexure-P/2 which is Kalyanpur P.S. Case No.248 of 2024.

6. It has also been submitted that upon interference of the well wishers of the family, the civil dispute which was prevailing in between the parties has also been compromised and a compromise petition has also been brought on record by way of Annexure-P/3 to the present application.

7. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

8. Taking into consideration that there is a civil



dispute between the parties and a case and counter case which has been compromised subsequently and the injuries are all simple in nature and further that the petitioner has no criminal antecedent, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, East Champaran, Motihari in connection with Kalyanpur P.S. Case No.236 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and subject to the further condition that the petitioner shall cooperate in the investigation/trial.

(Soni Shrivastava, J)

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