

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4659 of 2025

Arising Out of PS. Case No.-473 Year-2024 Thana- JAMUI District- Jamui

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1. Niranjan Vishwakarma @ Niranjan Kumar Viskarma s/o Ramlakhan Vishwakarma R/O Vill.- Sakhairma P.S.- Jamui, Dist.- Jamui
 2. Arbind Vishwakarma @ Arbind Kumar Vishwakarma S/O Ramlakhan Vishwakarma @ Ramlakhan Mistri R/O Vill.- Khairma P.S.- Jamui, Dist.- Jamui
 3. Dinesh Vishwakarma @ Dinesh Kumar Vishwakarma S/O Ramlakhan Vishwakarma @ Ramlakhan Mistri R/O Vill.- Khairma P.S.- Jamui, Dist.- Jamui
 4. Sunny Vishwakarma S/O Dinesh Vishwakarma R/O Vill.- Khairma P.S.- Jamui, Dist.- Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the State	:	Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-05-2025 Ms. Eashita Raj prays for withdrawal of the prayer of petitioner no.2 namely Arbind Vishwakarma as he has been arrested during the pendency of the petition.

2. Accordingly, the prayer for anticipatory bail of the petitioner no.2 namely Arbind Vishwakarma stands rejected.

3. The petitioners are apprehending their arrest in connection with Jamui P.S. Case No. 473 of 2024 for the offence under Sections 191(2), 191(3), 190, 329(4), 126(2), 115(2), 118, 109 and 117(2) of the B.N.S., lodged on 26.07.2024 by the informant, Rajesh Kumar Singh.



4. As per the prosecution story, The informant alleged that forming unlawful assembly and under conspiracy, the accused persons armed variously assaulted the informant side. The allegations as per the F.I.R. is/are follows:

- (i) Sunny Vishwakarma (petitioner no.4) and Arvind Vishwakarma (petitioner no.2 since arrested) assaulted Hira Singh by iron rod and khanti respectively causing injury on his head;*
- (ii) Dinesh Vishwakarma (petitioner no.3) assaulted Gagandeo Singh by sword again causing head injury while;*
- (iii) Niranjana Vishwakarma (petitioner no.1) assaulted Sujal causing injury again on his head.*

5. They were taken to the Jamui Hospital and as the injuries were serious, Heera Singh and Gagandeo Singh were shifted to Patna Medical College and Hospital, Patna. The land dispute has given reason to this incident. This led to the F.I.R.

6. Learned counsel for the petitioners submit that the land dispute, scuffled took place and certain injuries happened which has been exaggerated in the F.I.R. Though, she concede that the injuries on Hira Singh and Gagandeo Singh has been found to be grievous in nature while in case of Sujal Singh it is simple in nature.

7. Mrs. Poonam Singh representing the informant



opposes the prayer for bail submitting that not only the allegation against the accused persons of assaulting on the head causing injuries, so far as Niranjana Vishwakarma is concerned, though the injuries may have been simple in nature, the fact remains that subsequently, when the Police went to arrest him, he assaulted the Policemen too which resulted into Jamui P.S. Case No. 112 of 2025 on 22.02.2025 by the Policeman (Assistant Sub-Inspector of Police) himself. Further, she submits that he has criminal antecedent.

8. Considering the allegations that has come against the petitioners are recorded above, injuries of two of the victim were found to be grievous and they were shifted to Patna Medical College and Hospital, Patna while Niranjana Vishwakarma despite being accused in the present case, when the Police went to arrest him, resorted to assaulting the Policemen also, he also has criminal antecedent. In that background, no case for grant of relief can be extended.

9. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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