

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5668 of 2025

Arising Out of PS. Case No.-263 Year-2024 Thana- NAWANAGAR District- Buxar

Kamta Singh @ Kamta S/o Late Kusahar Singh R/o Village- Girdhar Baraon,
P.S.- Nawanagar (Sonbarsa O.P.), Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-02-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Nawanagar Police Station Case No. 263 of 2024, disclosing offences under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109(1), 352, 303(2) of the BNS, 2023.
3. As per the prosecution case, on 16.08.2024 informant was looking after the work of installation of pillar for boundary on his ancestral land situated in south direction of main road of his village Girdhar Barao, when at around 8.30 A.M. petitioner and other accused persons armed with lathi, danda, rami etc., due to previous enmity and with intention to kill by making unlawful assembly, came at the informant's field and started abusing and assaulting him. Upon instigation of



Ramdhani Singh, Kamta Singh/petitioner and his son Abhiman Singh assaulted informant's elder brother Brij Bihari Singh with lathi and rami and wounded his head. Ankit Singh assaulted Sanjay Singh with lathi and wounded him. Shyam Dhani Singh assaulted Judge Singh with lathi due to which his right hand finger got wounded. Mohan Singh assaulted informant by fists and took away Rs. 15,800/- cash kept for labour payment from upper pocket of his shirt. The reason behind the occurrence is previous enmity between the parties regarding which several cases are pending between them.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. The FIR was lodged after a delay of two days. The allegation against the petitioner is general and omnibus in nature and no specific allegation is there upon the petitioner. Both the parties are co-villagers having previous dispute. A counter case has been lodged by the side of the petitioner bearing Nawanagar P.S. Case No. 264 of 2024 against the informant and others for the same occurrence stating therein that petitioner's side has also sustained injuries.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that



petitioner is having criminal antecedent and there is specific allegation against the petitioner of assaulting the elder brother of the informant due to which he sustained head injury which has been opined as grievous in nature, I am not inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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