

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7680 of 2025

Arising Out of PS. Case No.-82 Year-2024 Thana- Hathiyav District- Sheikhpura

1. Suresh Singh (M), aged about 64 years, Son of Late Shree Sam Singh
2. Shankar Kumar @ Shankar Singh (M), aged about 55 years, Son of Late Shree Ram Singh
3. Chandan Kumar (M), aged about 31 years,
4. Kundan Kumar (M), aged about 29 years, Both are son of Shankar Singh @ Shankar Kumar,
All are Resident of Village- Rasalpur, P.S.- Hathiyawan, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-03-2025 Heard Mr. Raj Kumar, learned counsel appearing on behalf of the petitioners and Mr. Yogendra Kumar Singh, learned APP for the State.

2. At the outset, learned counsel appearing on behalf of the petitioners seeks to withdraw the present bail application on behalf of petitioners no. 1 and 3, namely, Suresh Singh and Chandan Kumar, respectively.

3. Permission is accorded.

4. The petitioner nos. 2 and 4, namely, Shankar Kumar and Kundan Kumar, respectively, seek pre-arrest bail in



connection with Hathiyawan P.S. Case No. 82 of 2024, registered for the offence punishable under Sections 126, 115(2), 118, 109, 74, 303(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita (B.N.S.), 2023

5. As per the allegation made in the FIR, petitioners had assaulted the informant and her son by means of iron rod and butt of pistol, due to which, the son of the informant had sustained injury.

6. Learned counsel appearing on behalf of the petitioners submitted that so far as, petitioners no. 2 and 4 are concerned, general and omnibus allegation has been levelled against them. Petitioners and informant are agnate and the petitioners have falsely been implicated in the present case due to land dispute. There is case and counter case between the parties. Petitioners have clean antecedent. On these grounds, petitioners no. 2 and 4 seek to be released on pre-arrest bail.

7. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

8. Considering the facts and circumstances of the case, the petitioner nos. 2 and 4, namely, Shankar Kumar and Kundan Kumar, respectively, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the



learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura, in connection with Hathiyawan P.S. Case No. 82 of 2024, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

9. The learned District Court is directed to verify the criminal antecedent of the petitioners no. 2 and 4 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 2 and 4 as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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