

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12162 of 2025

Arising Out of PS. Case No.-215 Year-2024 Thana- CHIRAIYA District- East Champaran

1. Rohit Singh, Son of Late Shyam Nandan Singh,
 2. Aman Kumar @ Aman Kumar Singh, Son of Jhunnu Singh,
 3. Ankit Kumar Singh @ Ankit Kumar, Son of Jhunnu Singh
- All are residents of Village- Kapur Pakari, P.S.- Shikarganj, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Chiraiya (Shikarganj) P.S. Case No. 215 of 2024, registered for the offences under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, petitioners and other co-accused persons armed with *lathi*, *fatta* and country made *katta* assaulted the informant, his brother and his nephew causing injuries to them. The occurrence took place in the background of land dispute.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. From perusal of the written report, it is evident that no offence under Section 307 IPC is made out against the petitioners and imposition of Section 379 IPC is super-addition. The learned counsel further submits that the FIR has been registered after much delay as for an occurrence of 19.05.2024, the FIR has been instituted on 23.05.2024 and there is no explanation for the delay. The background of land dispute is admitted and the parties are agnates. The learned counsel further submits that injury report as described in the rejection order of the learned Additional Sessions Judge show all the injuries of the victims are simple and appear to be superficial. The learned counsel further submits that the petitioners are having antecedent of one case. The petitioners are in custody since 31.10.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the simple and superficial nature of injuries and further considering the period of custody of the petitioners and submission of charge sheet, the petitioners are directed to be released on bail,



on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court, in connection with Chiraiya (Shikarganj) P.S. Case No. 215 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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