

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14494 of 2025

Arising Out of PS. Case No.-201 Year-2024 Thana- SURYAGARHA District- Lakhisarai

1. Chandan Kumar S/O Sunil Singh R/O Village- Rampur, PS- Surajgarha, Dist.- Lakhisarai.
2. Rohit Kumar S/O Sunil Singh R/O Village- Rampur, PS- Surajgarha, Dist.- Lakhisarai.
3. Abhishek @ Lalitu @ Abhishek Kumar @ Laltu S/O Sunil Singh R/O Village- Rampur, PS- Surajgarha, Dist.- Lakhisarai.
4. Sunil Singh S/O Badho Singh R/O Village- Rampur, PS- Surajgarha, Dist.- Lakhisarai.
5. Shalni Kumari @ Shalinee Kumari W/O Chandan Singh R/O Village- Rampur, PS- Surajgarha, Dist.- Lakhisarai.
6. Sudha Kumari Singh @ Sudha Devi W/O Sunil Singh R/O Village- Rampur, PS- Surajgarha, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajnish Chandra, Adv.
For the State	:	Mr. Rabindra Kumar, APP
For the Informant	:	Mr. Arun Kumar, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 02-07-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner nos. 1, 2 & 4.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner nos.1, 2 & 4.



5. However, if the petitioner nos. 1, 2 & 4 surrender before the learned Court below within three weeks from today and seek regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this withdrawal.

6. Now, this application is being pressed for petitioner nos. 3, 5 & 6 only.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 325, 354, 379 of the Indian Penal Code.

8. The prosecution case as disclosed in the FIR is that when the informant was at her home, all of a sudden, all the accused persons including the petitioners arrived at her home variously armed with deadly weapons and started hurling abuses and when the informant raised objection to the same, they assaulted her brutally. Further, there is a specific allegation against petitioners, namely, Chandan Kumar, Rohit Kumar and Sunil Singh that they assaulted the informant and her daughter brutally due to which they got injured and sustained injuries on their legs.

9. Learned counsel for the petitioners submit that it would be evident from the narration of the FIR itself that the



allegation are general and omnibus in nature against the petitioners and two of them are the female members of the family. Further, it would also be evident that there is a specific allegation of assault upon the petitioners, namely, Chandan Kumar, Rohit Kumar and Sunil Singh, the applications on behalf of whom have already been withdrawn. It is further submitted that there is a delay in lodging of the FIR, whereas the FIR lodged on behalf of the petitioners' side is earlier in point of time. The injury report of injured Nilam Devi, which has been annexed as Annexure-3, shows that out of two injuries which are in the nature of pain and swelling, one has been found grievous in nature and the same is also on non-vital part of the body caused by hard and blunt substance. The injury suffered by the other injured is, however, simple in nature also caused by hard and blunt substance.

10. Learned APP for the State and learned counsel appearing for the informant, however, vehemently oppose the prayer for anticipatory bail on the ground that injured Nilam Devi has suffered at least one injury which is grievous in nature and further, learned counsel for the informant also explains the delay caused in lodging of the FIR due to the fact that they were being medically attended in the hospital from 13.06.2024 to



28.06.2024.

11. Taking into consideration the rival contentions of the parties, I am inclined to grant the privilege of anticipatory bail to the petitioner nos. 3, 5 & 6. Let petitioner nos. 3, 5 & 6, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Surajgarha P.S. Case No.201 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

12. Accordingly, this application stands partly allowed.

(Soni Shrivastava, J)

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