

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21842 of 2024**

Arising Out of PS. Case No.-231 Year-2023 Thana- MAHUA District- Vaishali

Kundan Kumar Singh @ Kundan Singh @ Golu Son Of Upendra Singh  
Resident Of Village- Kanhauli Bishun Parshi, Ps- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH**  
**ORAL ORDER**

5      28-03-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in connection with Mahua P.S. Case No. 231 of 2023 for the offence under Sections 341, 323, 325, 307, 379, 504, 385, 506 and 34 of the I.P.C.

3. As per the prosecution story, on 09.04.2023 at about 02:30 P.M., when the informant was constructing boundary wall, all the F.I.R. named accused persons including present petitioner along with some unknown accused persons came there and started assaulting him. It is alleged that one Manish Kumar pointed pistol on the head of the son of the informant and the petitioner – Kundan Kumar Singh gave iron rod blow on the head and left hand of the son of the informant



which caused grievous injuries. It is further alleged that some unknown accused persons assaulted the informant by means of slaps and lathi and one Ranjeet Singh took away his wrist watch and Maharshi Singh took away his golden chain worth Rs. 60,000/-. It is also alleged that the petitioner pressed the neck of the informant with intention to kill him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. The entire prosecution case is false and fabricated. The allegation against petitioner and other named accused persons is that they entered the house of informant and started abusing and telling that they would not let him to construct the wall. Then petitioner gave a blow of iron rod on the head and left hand of the son of the informant which caused injuries. There is a case and counter case between the parties and the alleged occurrence is said to have taken place on account of a land dispute between the co-sharers.

5. Learned APP opposes the prayer for bail.

6. During the course of argument, learned counsel for the petitioner submits that there is case and counter case between both the parties and the petitioner has to go abroad for higher education at Boston. On perusal of case diary it appears



that witnesses have supported the allegation levelled in the F.I.R. The injury report also suggest that injured has sustained injury on his head which has been found grievous in nature. Keeping in view the aforesaid facts, this Court is not inclined to extend him the privilege of anticipatory bail. Accordingly, the present anticipatory pail application of the petitioner stands rejected.

7. The petitioner is directed to surrender before learned court below and pray for regular bail, which may be considered by the court below on its own merit, without being prejudiced by the order of this Court and considering the fact that he has to go Boston for his higher studies.

**(S. B. Pd. Singh, J)**

Ankit Kumar/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

