

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21901 of 2025

Arising Out of PS. Case No.-184 Year-2024 Thana- KATEYA District- Gopalganj

Vishal Singh @ Vishal Kumar Singh Son of Vijay Singh @ Vijai Rai Resident
of Vill- Mahua Patan, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh
For the State : Mr.Ram Naresh Ray
For the informant : Mr. Pankaj Kumar Dubey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 30-04-2025 1. Heard learned Counsel for the petitioner, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kateya Police Station Case No. 184 of 2024, dated 19.05.2024, disclosing offences punishable under Sections 341/323/307/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 18.05.2024 in the evening, while the informant was performing puja in a temple situated in his house, the petitioner assaulted the informant on his head by iron-rod, due to which the informant sustained injury. It has further been alleged that the petitioner assaulted with iron rod on



the right hand and chest of the informant.

4. Learned Counsel for the petitioner submits that there is previous land dispute between the parties and the police, after completion of investigation, submitted final form not sending the petitioner for trial. However, learned Magistrate has differed with the police report and has taken cognizance against the petitioner under Section 307 and other sections of the Indian Penal Code. He further submits that the informant is the own uncle of the petitioner. The petitioner is 24 years of age and is a student, who had appeared in the NEET (UG), 2024 examination. The antecedent, which has been mentioned in paragraph 3 of this application, was lodged by the side of the informant.
5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner of assault on the head of the informant and from perusal of the impugned order, it appears that out of three injuries, one injury is grievous in nature on the vital part of the body, i.e. head. Accordingly, he submits that the petitioner does not deserve privilege of anticipatory



bail.

- 6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are closely related, having land dispute, the police, after completion of investigation submitted final form, exonerating the petitioner by not sending him for trial and the petitioner is 24 years old and is appearing in the competitive examination, I am inclined to grant the petitioner privilege of anticipatory bail.
- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Gopalganj, in connection with Kateya Police Station Case No. 184 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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