

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17485 of 2025

Arising Out of PS. Case No.-159 Year-2024 Thana- BELSAND District- Sitamarhi

1. Kanhaiya Kumar Singh @ Kanhai Singh,

2. Saroj Kumar Singh @ Saroj Singh,
Both Sons of Late Anand Kishore Singh, Resident of Village- Belsand
Kothi, P.S.- Belsand, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Belsand No. 159 of 2024, registered for the alleged offences under Sections 126(2), 109, 352, 351(2), 3 (5) of BNS and Section 27 of the Arms Act.

03. As per prosecution case, the co-accused brother of the petitioners came to the house of the informant and demanded Rs.50,000/-. On refusal of the informant, some altercation took place and co-accused left the house of the informant threatening him. Thereafter, 5-6 persons on three motorcycles came at the doors of the informant and opened fire



on the house of the informant. The petitioners and other co-accused persons were named by the informant, who were hurling abuses and firing with pistols.

04. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. Nothing incriminating has been recovered from the person/possession of the petitioners. The informant is having enmity with co-accused Manoj Kumar Singh, who happens to be brother of the petitioners and, for this reason, the petitioners have been dragged in this case as well as in other cases. The petitioner no.1 is having antecedent of two cases, whereas the petitioner no. 2 is having antecedent of one case and both the petitioners are on bail in those cases. The learned counsel further submits that the petitioner no. 1 is handicapped person and he cannot even move freely.

05. Learned A.P.P. opposes the submission made on behalf of the petitioners. The learned APP submits that there is specific allegation against the petitioners that they opened fire on the house of the informant.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



non-specific nature of allegation against the petitioners and further considering the possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, 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, Sitamarhi, in connection with Belsand Case No. 159 of 2024, subject to the condition laid down under Section 482 (2) of BNSS 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 court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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