

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.18613 of 2025**

Arising Out of PS. Case No.-171 Year-2024 Thana- AWTARNAGAR District- Saran

1. Soni Devi W/O Pankaj Kumar Singh @ Pankaj Singh Resident of village - Narayanpur Jhauwa, Police station - Awatar Nagar, District - Saran
2. Pankaj Kumar Singh @ Pankaj Singh S/O Shiv Pujan Singh Resident of village - Narayanpur Jhauwa, Police station - Awatar Nagar, District - Saran
3. Shiv Pujan Singh S/O Late Hareshwar Singh Resident of village - Narayanpur Jhauwa, Police station - Awatar Nagar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mili Kumari  
For the Opposite Party/s : Mr. Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 3      13-08-2025      1. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Awatar Nagar Police Station Case No. 171 of 2024, dated 23.07.2024, disclosing offences under Sections 126(2)/118(1)/109/352/3(5) of the Bhartiya Nyaya Sanhita.
3. The prosecution case, as per the First Information Report, is that on 20.07.2024, at about 07:00 PM, in the evening,



the informant returned back to his home and found that common passage was obstructed by erecting wall by his neighbour i.e. Shiv Pujan Singh-petitioner no. 3. When protested, the petitioners, along with other accused persons, assaulted the informant with lathi, iron-rod, etc. It has further been alleged that the petitioner no. 2 assaulted repeatedly on the head of informant by means of iron-rod causing head injury.

4. Learned counsel for the petitioners submits that both the parties are close door neighbours and dispute arose between them due to common passage. He next submits that a counter-case, bearing Awatar Nagar Police Station Case No. 170 of 2024, against the informant and others. Referring to the injury report, annexed at Annexure-P/2, learned counsel submits that injury sustained by the informant is simple in nature. He further submits that this Court vide its order, dated 15.04.2025, called for the case diary and was pleased to grant provisional bail to the petitioners.
5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation of assault against



petitioner no. 2, which came in the First Information Report as well as in the case diary also. He next submits that the informant has sustained injury and his fardbayaan was recorded at Sadar Hospital, Chapra.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that both the parties are close door neighbours and have dispute regarding passage, case and counter-case is there and injury sustained by the informant is simple in nature, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed and provisional granted bail to the petitioners by order, dated 15.04.2025, is hereby confirmed.

**(Anil Kumar Sinha, J)**

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