

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20404 of 2025

Arising Out of PS. Case No.-263 Year-2024 Thana- NAGAR District- Vaishali

1. Nawal Kishore Singh @ Naval Kishor Singh @ Naval Kishore Singh S/O Lalan Singh R/O Village- Jadua, P.S- Hajipur Town, Distt.- Vaishali.
2. Anju Devi W/O Naval Kishore Singh @ Naval Kishor Singh @ Nawal Kishore Singh R/O Village- Jadua, P.S- Hajipur Town, Distt.- Vaishali.
3. Anjali Kumari D/O Naval Kishor Singh @ Naval Kishore Singh @ Nawal Kishore Singh R/O Village- Jadua, P.S- Hajipur Town, Distt.- Vaishali.
4. Dharmpal Singh @ Dharampal Singh S/O Late Shyam Narayan Singh R/O Mohalla- Sampatchak, Begampur, P.S- Malsalami, By-Pass, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard Mr. Hemant Ray, learned counsel for the petitioners and Mr. Bharat Bhushan representing the State.

2. The petitioners are apprehending their arrest in connection with Hajipur Town P.S. Case No. 263 of 2024 for the offence under sections 147, 149, 341, 323, 307, 379, 427 and 504 of the I.P.C. lodged on 16.04.2024 by the informant, Awdhesh Kumar Singh.

3. As per the prosecution story, the allegation is that the petitioners herein, being the aggressor, assaulted the own brother of petitioner no. 1, Nawal Kishore Singh inflicting



injuries which included the head. The allegation on the accused persons is/are as follows:

(i) Nawal Kishore Singh (petitioner no. 1) inflicted iron rod blow on the head of the informant;

(ii) Anju Devi (petitioner no. 2) assaulted informant by farsa causing head injury;

(iii) Anjali Kumari (petitioner no. 3) assaulted informant by iron rod and snatched gold chain worth Rs. 60,000/-;

(iv) Dharampal Singh (petitioner no. 4) assaulted the informant by means of gun.

4. This led to the FIR.

5. Learned counsel for the petitioners submit that a perusal of the FIR would show that it has been exaggerated, each and every family members have been implicated assigning roles. Further, though there is injury on the head, it has been found to be simple in nature as would manifest from the order of the learned Sessions Judge. The last submission is that the two brothers have come to a compromise due to the presence of well wishers/villagers and in continuation of that, the accused want to contribute towards his medical assistance to the tune of Rs. 25,000/- through Demand Draft issued by the local State Bank



of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP opposes the prayer submitting that the injury has been found on the head of the informant.

7. Taking into account the submissions of the parties as also that the petitioners belong to the same family of the informant, injury has been found to be simple in nature, two of them are ladies, none of them have criminal antecedent, they have arrived to a compromise, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 25,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to the informant to be submitted to the Trial Court.

8. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Town P.S. Case No. 263 of 2024 subject to the conditions as laid down under Section



438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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