

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23543 of 2025

Arising Out of PS. Case No.-276 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

-
1. Dilip Singh Son of Late Sukh Nandan Singh Resident of Village- Bochaha,
P.S.- Mohiuddin Nagar, District- Samastipur
 2. Shailendra Singh @ Salendar Singh Son of Late Sukh Nandan Singh
Resident of Village- Bochaha, P.S.- Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-04-2025 Heard Learned Counsel for the petitioners, Learned
Counsel for the informant and Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Mohiuddin Nagar P.S. Case No. 276 of 2024 lodged on 07.12.2024, for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 351(3) and 3(5) of the B.N.S., 2023.

3. As per the prosecution, FIR has been lodged against nine named accused persons. Allegation is that all accused persons is in connivance with each other have assaulted the informant's side due to which injury has been caused to them.

4. Learned Counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. He further submits that from the contents of the F.I.R, it become crystal clear that the cause of dispute is only taking soil for the purpose of stopping the flow of water. He further submits that the specific allegation is not against the petitioners rather against the other accused persons. The accusation against the petitioners is general and omnibus. Counsel also submits that it is true that there are four criminal cases pending against the petitioners in which they are on bail. Learned Counsel further submits that petitioners' and informant's sides are *patidar* and well known to each other.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that the antecedent of the petitioners is not clean and they have violated the law due to which injury has been caused to the the informant's side.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is general and omnibus allegation against the petitioners.

7. In the present facts and circumstances of this case and there is general and omnibus allegation against the petitioners, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the



Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Judicial Magistrate-1st Class, Samastipur, in connection with Mohiuddin Nagar P.S. Case No. 276 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Neha/-

U		T	
---	--	---	--

