

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24365 of 2025

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

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1. Samrat Singh @ Parle Son of Shailendra Singh @ Salendra Singh Resident of village- Bochaha PS- Mohiuddinnagar District -Samastipur
 2. Vikash Kumar Singh son of Shailendra Singh @ Salendar Singh Resident of village- Bochaha PS- Mohiuddinnagar District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Shanker Singh, Advocate Mr. Anshansh Shanker, Advocate
For the State	:	Mr. Bishweshwar Ram, APP
For the Informant	:	Mr. Laxshmendra Kr. Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are apprehending arrest in connection with Mohiuddin Nagar P.S. Case No. 276 of 2024, dated 07.12.2024, lodged under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 351(3) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against nine named accused persons, including the present petitioners, alleging that they assaulted the informant with an iron rod and a *kudaal*, causing injuries.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. Counsel further submits that although the allegations are specific against the petitioners, they are not supported by the injury report. Counsel further submits that from the contents of the FIR, it becomes crystal clear that the matter pertains to a petty dispute relating to cutting soil with maize seeds in the field, which led to the scuffle. Counsel further submits that the criminal antecedents of the petitioners are not clean, one criminal case is pending against petitioner No. 1, and three criminal cases are pending against petitioner No. 2. Counsel also submits that the informant and the petitioners are *patidars* of each other.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there are specific allegations against the present petitioners. Counsel further submits that the allegations against petitioner No. 2 and one co-accused, namely Chhotu Kumar Singh, are identical and specific. The co-accused, Chhotu Kumar Singh, has been granted regular bail, and not anticipatory bail, by a co-ordinate Bench of this Hon'ble Court *vide* order dated 11.04.2025, passed in Cr. Misc. No. 16020 of 2025. As such, the anticipatory bail application of the petitioners be rejected.



6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there are two parts in this case, against some accused persons, the allegations are specific, while against others, the allegations are general and omnibus. Counsel further submits that the allegations against the present petitioners are direct.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer for bail of the petitioners is hereby **rejected**.

8. It is directed to the petitioners to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioners surrender within four weeks, then the Trial Court is directed to pass order on their surrender-cum-bail applications on the same day without being prejudice that the anticipatory bail of the petitioners has been rejected by this Court and the Trial Court shall pass orders on merits and based on the allegations made in the FIR of this case.

(Dr. Anshuman, J.)

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