

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29738 of 2025

Arising Out of PS. Case No.-13 Year-2020 Thana- DURAULI District- Siwan

1. Manoj Singh @ Manoj Kumar Singh S/O Late Sudama Singh Resident Of Village- Lakshmanchak, PS- Darauli, Dist.- Siwan
2. Binay Singh S/O Late Sudama Singh Resident Of Village- Lakshmanchak, PS- Darauli, Dist.- Siwan

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Darauli P.S. Case No. 13 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the IPC.

3. As per prosecution case, informant was constructing her new house and meanwhile, petitioners along with other came there and abused the informant. It is alleged that co-accused Bir Bahadur Singh with intention to kill assaulted the informant by means of farsa due to which she sustained injury and fell down. It is further alleged that when



informant's daughter-in-law came, she was assaulted by butt of pistol by petitioner no. 2. It is further alleged that petitioner no. 1 assaulted the informant by means of lathi due to which finger of her hand got fractured and 2 *bhar* chain was also snatched from the neck of informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. He further submits that petitioners' side also sustained injury but the same has not been explained in the prosecution story which casts doubt upon the authenticity of the FIR. He further submits that injury report of informant shows that she received head injury which is grievous in nature. He further submits that from perusal of the FIR, it is clear that no specific overt act of causing said injury is alleged against the petitioners. He further submits that injury of Sintu Devi is simple in nature. He further submits that co-accused Virabahadur Singh, against whom there is allegation of assault upon the informant by means of farsa, has already been granted privilege of anticipatory bail by a co-ordinate Bench of this Court and the case of present petitioners stands more or less on similar footing and hence, petitioners also deserve bail. Petitioners have no criminal



antecedent.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, co-accused has already been granted privilege of anticipatory bail, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Darauli P.S. Case No. 13 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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