

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27840 of 2025

Arising Out of PS. Case No.-76 Year-2024 Thana- SIGAUDI District- Patna

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1. VIKASH KUMAR S/O UDAY KUMAR R/O VILLAGE- MURARCHAK ,
POLICE STATION- SIGORI , DISTRICT- PATNA
 2. SHYAM SUNDAR KUMAR @ SHYAM SUNADAR SINGH S/O
RAMAYAN YADAV R/O VILLAGE- MURARCHAK , POLICE
STATION- SIGORI , DISTRICT- PATNA
 3. SURAJ KUMAR S/O RAMAYAN YADAV R/O VILLAGE-
MURARCHAK , POLICE STATION- SIGORI , DISTRICT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunit Kumar Srivastava, Advocate
For the State	:	Mr. Nand Kishore Prasad, A.P.P.
For the Informant	:	Mr. Parshuram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioners, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in
connection with Sigori P.S. Case No. 76 of 2024 registered for
the offences punishable under Sections 341, 323, 325, 307, 379,
147, 148, 149 of the Indian Penal Code.

3. As per prosecution case, petitioners and others
are said to have assaulted the informant and his associates
namely Chandrika Singh, Akhilesh Singh and Birbal Kumar by
means of Khanti, Gadasa and lathi as a result of which
informant and his associates sustained injury on different parts



of the body. It is alleged that they also snatched gold locket from informant's neck and took away Rs. 5,000/- (in cash) from the informant.

4. Learned counsel for the petitioners submits that from the perusal of FIR, it appears that the occurrence took place on 23.06.2024 at 19:30 hrs. and FIR was registered on 24.06.2024 at 15:30 hrs. He further submits that despite concerned police station is situated only at a distance of 4 km from the place of occurrence, FIR was registered on 24.06.2024 at 15:30 hrs. which creates doubt upon the authenticity of the prosecution story. He further submits that no specific allegation is attributed against any of the petitioners rather the allegation of assault is attributed against seven persons and petitioners are amongst them. He further submits that the nature of injuries sustained by two victims, namely, Tuntun Kumar and Birbal Kumar are simple in nature whereas the nature of injuries of two victims namely, Chandrika Singh and Akhilesh Singh, have been kept reserved. He further submits that injury report of injured persons, namely, Chandrika Singh and Akhilesh Singh indicates that the aforesaid persons were examined on 23.06.2024 but the nature of injury has not been obtained till today which clearly indicates that the injury report of the said



persons is far from truth as alleged as in the prosecution story. Petitioners are innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case due to previous enmity with the informant. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under Section 307 of IPC. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State as well as informant opposed the prayer for anticipatory bail of the petitioners by submitting that participation of petitioners in the alleged occurrence cannot be outrightly rejected so far as nature of injury of victims, namely, Chandrika Singh and Akhilesh Singh is concerned. Hence, petitioners do not deserve bail.

6. Considering the facts and circumstances of the case, there is no specific allegation of assault against the petitioners, keeping in view clean antecedent of petitioners, 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 J.M. First Class,
Danapur in connection with Sigori P.S. Case No. 76 of 2024,
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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