

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29769 of 2025

Arising Out of PS. Case No.-708 Year-2024 Thana- BASANTPUR District- Siwan

1. Ashish Kumar @ Ashish Kumar Singh S/O Ajay Singh R/O Vill.- Rampur, P.S.- Basantpur, District- Siwan
2. Ajay Singh S/O Late Keshav Singh R/O Vill.- Rampur, P.S.- Basantpur, District- Siwan
3. Vijay Singh S/O Late Keshav Singh R/O Vill.- Rampur, P.S.- Basantpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 03-09-2025

Heard the parties.

2. The petitioners are apprehending arrest in connection with Basantpur P.S. Case No. 708 of 2024 instituted under Sections 191(1), 126(2), 115(2), 308(3), 109(1), 303(2), 324(2), 351(2) of Bhartiya Nayay Sanhita, 2023 lodged on 13.11.2024 by the informant, Sandeep Kumar Sah.

3. As per the prosecution story, the informant alleged that while working on his plant, the accused persons came, armed variously and asked for extortion. Upon refusal, Dipak Kumar Singh/Ashish Kumar Singh (petitioner no.1) gave iron rod blow on the head and he became unconscious. Further, when his brother came to the rescue, Ajay Singh and Vijay Singh (petitioner nos. 2 and 3) respectively beside Dipak Kumar Singh assaulted him as also took away Rs. 1,50,000/- beside goldthe



ornaments. They were shifted to Basantpur Hospital and then referred to Sadar Referral Hospital, Siwan. This led to the FIR.

4. Learned counsel for the petitioners submit that there is case and counter case. They have also lodged Basantpur P.S. Case No. 709 of 2024 alleging that on the ‘Tilak Day’, upon protest, due to high decibel speaker being used by them, assault took place. The petitioners do not have criminal antecedent.

5. Learned counsel for the informant on the other hand submits that both Sandeep Kumar Sah (informant) as also Sandesh, brothers were brutally assaulted and the injury reports by the Primary Health Center, Basantpur clearly shows the same to be grievous in nature.

6. Considering the submissions of the parties as also the fact that the injuries have been found to be grievous in nature, as recorded above, in that background, this Court is not inclined to extend them the privilege of anticipatory bail.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

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