

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38352 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- TARAIYA District- Saran

1. Yogendra Singh S/O Rambriksh Singh Resident of Village- Patti Pachaurar, P.S.- Taraiya, District- Saran
2. Munna Kumar S/O Yogendra Singh Resident of Village- Patti Pachaurar, P.S.- Taraiya, District- Saran
3. Manoj Kumar Singh S/O Yogendra Singh Resident of Village- Patti Pachaurar, P.S.- Taraiya, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Surendra Kishore Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Taraiya P.S. Case No. 40 of 2025 for the offence under Sections 126(2), 115(2), 118(1), 117, 109, 303, 351(2), 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023, lodged on 09.02.2025 by the informant, Krishan Kumar Singh.

3. As per the prosecution story, the allegation is that on the issue of land dispute, the three petitioners with deadly weapons assaulted the informant side. The allegation is that petitioner no. 1, namely, Yogendra Singh assaulted by sword causing injury to the informant beside Asharfi Singh and



Manish Kumar, petitioner no. 2, Munna Kumar assaulted Suresh Singh on his head, the allegation against petitioner no. 3, Manoj Kumar Singh is of outraging the modesty of informant's wife. The other accused persons have also been named who participated in the incident. This led to the F.I.R.

4. Learned counsel for the petitioners submit that there is case and counter case in which both sides had sustained injuries. In fact the injuries sustained by petitioner no. 1 is found to be grievous in nature. None have criminal antecedent.

5. Learned counsel representing the informant on the other hand has taken this Court to Sessions Court order to show that the injury inflicted by petitioner no. 1 on the Asharfi Singh and Manish Kumar have found to be grievous in nature. He further submits that the injury inflicted by Munna Kumar on Suresh Singh has also found to be grievous in nature.

6. It is unfortunate that instead of fighting the battle before a Competent Civil Court in such cases of land dispute, taking law on their own hands, alleged assault took place causing grievous injury to both sides. The consequence is that while some injurds battle for life, the other have to move from Court to jail, this case is classic example of the aforesaid fact.

7. Though, learned counsel for the petitioners tried to



impress upon emotions of the accused persons/petitioners, citing the injuries that that they have also sustained, in the opinion of Court, so far as petitioner no. 1, Yogendra Singh and petitioner no. 2 are concerned since the injuries inflicted by them have been found to be grievous in nature, relief cannot be extended to them.

8. The application regarding petitioners no. 1 and 2 stands rejected.

9. So far as petitioner no. 3 namely, Manoj Kumar Singh is concerned, the only allegation against him is that of outraging the modesty of informant's wife. Though allegation is serious one, Construed that petitioner no. 3 has no criminal antecedent. In that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

10. Learned APP opposes the prayer of bail and of the petitioner no. 3.

11. Let the petitioner no. 3, namely Manoj Kumar Singh be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Court of A.C.J.M.-XIII, Saran at Chapra in connection with Taraiya



P.S. Case No. 40 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member /relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 3 shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner no. 3 shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner no. 3 shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

12. The application stands disposed of.

(Rajiv Roy, J)

Ranjeet/-

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