

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33698 of 2025

Arising Out of PS. Case No.-151 Year-2024 Thana- PHENHARA District- East Champaran

1. Brajesh Singh Son of Shubh Narayan Singh Resident of Village- Kumharar, P.S.-Fenhara, District- East Champaran
2. Vikesh Singh @ Vikesh Kumar Son of Nageshwar Singh Resident of Village- Kumharar, P.S.- Fenhara, District-East Champaran
3. Sonu Singh @ Sonu Kumar Singh Son of Pramod Singh Resident of Village- Ijurbara, P.S-Fenhara, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Fenhara P.S. Case no. 151 of 2024 for the offence registered under sections 126(2), 118(1), 119(1), 329(4), 303(2), 76, 109, 352, 351(2) and 3(5) of the B.N.S. lodged on 10.11.2024 by the informant Rani Devi.

3. As per the prosecution story, the informant alleged that due to minor issue between the agnates, the assault took place in which her son, Amit Singh was assaulted on head by co-accused persons. This led to the FIR..

4. Learned Counsel for the petitioners submits that



both the parties are relative, the informant is sister in law (*Bhabhi*) of Pramod Singh and aunt of petitioner no.3 Sonu Singh. Further, none have criminal antecedent and the injury received upon the Amit Singh is simple in nature. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioners on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the Amit Singh after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though omnibus is nature but allegation of assault is on the accused persons including the petitioners.

6. Considering the submissions of the parties, omnibus allegation is there, none of the petitioners has criminal antecedent and injury has been found simple in nature, this Court is inclined to grant them the anticipatory bail with conditions subject to payment of Rs. 10,000/- to Amit Singh as undertaken by the learned counsel for the petitioners to be paid



by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Fenhara P.S. Case No. 151 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioners, who shall provide official document to show his *bona fide*;

(ii) the petitioners 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 their bail bonds by the Trial court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioners 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;

(v) the petitioners shall desist from committing any
criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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