

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34505 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- PATAHI District- East Champaran

Amrendra Singh Son of Jai Narayan Singh Resident of village - Rupani, P.S.-
Patahi, District - East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Patahi P.S. Case No. 157 of 2024, G.R. Case No. 3556 of 2024 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the IPC.

3. As per prosecution case, petitioner and others having armed with farsa, iron rod, dab and lathi came at the door of informant and abused him. It is alleged that petitioner and others assaulted on the head of informant by means of farsa, iron rod and dab due to which he sustained injury on head. It is further alleged that when informant's wife came, she was also assaulted by the accused persons by means of farsa and iron rod



due to which she sustained injury on the head. It is further alleged that informant's father and mother were also assaulted by the accused persons due to which informant's father sustained injury on head and chest and informant's mother sustained injury on the hand. It is further alleged that gold chain of informant and *mangalsutra* of informant's wife were also snatched by the accused persons.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Learned counsel further submits that both parties are neighbour and there is land dispute between the parties and in cases of land dispute, facts are generally exaggerated to make the offence graver. He further submits that there is case and counter case between the parties and hence, free fight cannot be ignored. He further submits that there is no specific allegation against the petitioner rather the same is general and omnibus in nature. He further submits that doctor has found that Ranjeet Kumar Sah (informant) and Anita Devi have sustained simple injury whereas injured Bindeshwari Sah has sustained two grievous injury. Apart from that, petitioner has no criminal antecedent. He further submits that co-accused Ajay Singh @ Ajay Kumar



Singh, Ravi Ranjan Singh @ Ravi Ranjan Kumar and Tuntun Pandey @ Tuntun Kumar Pandey have already been granted anticipatory bail by co-ordinate Bench of this Court vide Cr. Misc. No. 71146 of 2024 and case of present petitioner stands on similar and identical footing and on the principle of parity, petitioner deserves bail.

5. The learned A.P.P. for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner and submitted that from informant's side four persons suffered injuries and petitioner is also participated in the alleged occurrence and hence, he does not deserve bail. Learned counsel for the informant submitted that during pendency of anticipatory bail petition proceeding under Section 82 of the Cr.P.C. has been initiated by the concerned court.

6. Learned counsel for the petitioner submits that so far as proceeding of Section 82 of Cr.P.C. is concerned, it is merely a submission and in this regard, no material is placed on record.

7. Considering the facts and circumstances of the case, keeping in view clean antecedent of the petitioner, co-accused on similar and identical allegation has already been granted bail, argument advanced on behalf of both sides and



also taking into consideration the material available on record, the petitioner above-named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Patahi P.S. Case No. 157 of 2024, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

8. The application stands allowed.

(Alok Kumar Pandey, J)

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