

Arising Out of PS. Case No.-91 Year-2025 Thana- ATHMALGOLA District- Patna

1. Mantu Singh @ Gyanendra Kumar Singh @ Gyanendra Singh S/O Late Harivansh Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
2. Navin Kumar S/O Late Ramapati Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
3. Harshwardhan Kumar S/O Shri Gyanendra Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
4. Abhishek Kumar S/O Ramadhar Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
5. Naresh Kumar @ Naresh Singh S/O Ramadhar Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
6. Pankaj Kumar S/O Ramadhar Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
7. Anand Kumar S/O Gyanendra Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
8. Pappu Singh @ Arvind Kumar S/O Late Ramapati Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.
9. Sunita Devi W/O Gyandendra Singh R/O Village- Ramnagar Diyara, P.S- Athmalgola, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Adv. Mr.Lal Babu Singh, Adv. Mr. Ashish Kumar, Adv. Mr. Mukul Kumar, Adv.
For the Opposite Party/s	:	Ms.Pushpa Sinha.1, APP Mr. Kumar Keshvam, Adv. Mr. Manauwar Eqbal, Adv. Mr. Shailendra Kumar Jha, Adv. Mr. Niranjan Prasad Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-06-2025 Heard learned senior counsel for the petitioners,
 learned counsel for the informant and learned APP for the State.



2. At the very outset, learned senior counsel for the petitioners seeks permission to withdraw the anticipatory bail application of petitioner Nos. 6 and 7, namely, Pankaj Kumar and Anand Kumar respectively, who have been arrested during the pendency of this case.

3. Considering the aforesaid facts and circumstances of the case, the anticipatory bail application is dismissed as withdrawn so far as it relates to petitioner Nos. 6 and 7, namely, Pankaj Kumar and Anand Kumar respectively.

4. Now, the anticipatory bail application is only confined to petitioner Nos. 1, 2, 3, 4, 5, 8, and 9 only.

5. The petitioner Nos. 1, 2, 3, 4, 5, 8, and 9 apprehend arrests in connection with Athmalgola PS Case No. 91 of 2025 dated 12-03-2025, instituted under Sections 126(2), 115(2), 109(1), 303(2), 74, 352, 351(2) and 3(5) of the *Bharatiya Nyaya Sanhita, 2023*.

6. The prosecution case, in short, is that on 07.03.2025 at 04.00 PM, the accused persons, including the petitioners, tried to forcibly occupy the informant's land by means of threats and weapons. On protest, they assaulted the informant and his relatives with *lathis* and rods, causing serious injuries. Female relatives of the informant were also molested



and assaulted, and their ornaments were snatched. The female accused persons are also alleged to have thrown stones at the informant's house.

7. Learned senior counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that there is no specific allegation against any of the petitioners; rather, the allegations are general and omnibus in nature. It is pointed out that the *fardebayan* of the informant was recorded on 10.03.2025, whereas the FIR was registered against 16 accused persons only on 12.03.2025, even though the alleged occurrence took place on 07.03.2025. Learned senior counsel further submits that the present case arises out of a dispute in which there is a case and counter case between the parties. In this regard, petitioner no. 1 has lodged a counter case bearing Athmalgora P.S. Case No. 89 of 2025 (Annexure-2) against the informant and others. It is next submitted that the learned District and Additional Sessions Judge-V, Bar, while rejecting the prayer for anticipatory bail, recorded in the order dated 09.05.2025 that the injuries sustained by the injured persons are simple in nature. Lastly, with reference to paragraph 4 of the supplementary affidavit, learned senior counsel submits that petitioner no. 5 has no



criminal antecedents, while the others are named in the cases mentioned therein.

8. Learned counsel for the informant and learned APP for the State have opposed the prayer for anticipatory bail. It is submitted that all the petitioners were involved in assaulting the injured persons.

9. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner Nos. 1, 2, 3, 4, 5, 8, and 9 be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM Barh, in Athmalgola PS Case No. 91 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

10. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

