

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38748 of 2025

Arising Out of PS. Case No.-241 Year-2024 Thana- Patarghat District- Saharsa

1. Raman Kumar Singh S/O Late Banke Bihari Singh R/O Village- Dhabouli (West), Ward No.-10, P.S- Patarghat, Distt.- Saharsa.
2. Vikash Kumar Singh @ Vikash S/O Late Banke Bihari Singh R/O Village- Dhabouli (West), Ward No.-10, P.S- Patarghat, Distt.- Saharsa.
3. Suman Kumar Singh @ Sonu Kumar Singh S/O Late Banke Bihari Singh R/O Village- Dhabouli (West), Ward No.-10, P.S- Patarghat, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Rakesh Singh, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Rashmi Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 15-10-2025 Heard Mr. Krishna Prasad Singh, learned Senior counsel for the petitioners duly assisted by Mr. Saket Kumar, Mrs. Rashmi Jha, learned counsel representing the informant and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Patarghat P.S. Case No. 241 of 2024 for the offence under sections 109, 308(2), 303(2), 74, 126(2), 115(2), 118(1), 351(2), 352 and 3(5) of the BNS lodged on 24.12.2024 by the informant, Nitesh Kumar Singh.

3. As per the prosecution story, the informant



alleged that the accused persons stormed their place, wanted extortion money and the allegation is that Suman Kumar Singh took out a country-made pistol and threatened to kill his brother, Pappu Kumar Singh and assaulted with its butt. Subsequently, allegation is that Raman Kumar Singh gave *axe* blow on the head of Pappu Kumar Singh causing injury on the head and he became unconscious. As the informant and others tried to intervene, allegation is that Abhishek and Vikash gave iron rod/lathi blows causing further injuries. His brother was rushed to Patarghat Primary Health Center and then to Sadar Hospital, Saharsa. This led to the FIR.

4. Learned Senior counsel for the petitioners submit that there is case and counter-case, the case of the accused being earlier to that of the informant. Both sides have sustained injuries and only to exaggerate the FIR, the family members have been implicated.

5. Mrs. Rashmi Jha representing the informant on the other hand submits that a perusal of the FIR would show that all of them have assaulted and specific allegation is against Raman Kumar Singh that he gave blow on the head causing injury to Pappu Singh who became unconscious and rushed to the hospital.



6. Having gone through the facts of the case as also the injury report which is part of the petition, injury on the head of the Pappu Singh has been found to be grievous in nature, in that background, so far as the anticipatory bail application of the petitioner no. 1, Raman Kumar Singh is concerned, the same stands rejected.

7. So far as the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh are concerned, though allegation is/are there against them, the injury report shows that mainly the injury is on the head which is attributed to Raman Kumar Singh, both the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh have no criminal antecedent and counter-case is there, in that background, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

8. Let the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman 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) each with two sureties of like amount each to the satisfaction of learned C.J.M., Saharsa in connection with Patarghat P.S. Case No. 241 of 2024 subject



to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh who shall provide official document to show his/her bona fide;

(ii) the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh 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 bond by the Trial Court itself;

(iii) the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh shall appear before the concerned police station every fortnight for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh 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 petitioner no. 2, Vikash Kumar Singh and petitioner no. 3, Suman Kumar Singh shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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