

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39039 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- SIKANDRA District- Jamui

1. Vijay Singh @ Vijay Kumar S/o Late Janki Singh R/o Village- Kaiyar, P.S - Sikandra, District - Jamui
2. Vijay Kumar Singh @ Vijay Singh S/o Late Rajendra Singh R/o Village- Kaiyar, P.S - Sikandra, District - Jamui
3. Chunchun Kumar S/o Late Rajendra Singh R/o Village- Kaiyar, P.S - Sikandra, District - Jamui
4. Manoj Singh @ Sardar@ Manoj Kumar S/O Late Ramashray Singh @ Rameshwar Singh R/o Village- Kaiyar, P.S - Sikandra, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Amresh Kr. Sinha, Advocate
		Mr. Vikramaditya, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

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

2. The petitioners are apprehending arrest in connection with Sikandra P.S. Case No. 104 of 2025, dated 15.03.2025, lodged under Section 190, 191(2), 109, 126(2), 115(2), 351(2), 352, 303(3) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against 12 named accused persons, including the present petitioners, with the allegation that on the evening of the incident, when the



informant was at home with his family members, all the accused persons came to the informant's house and started abusing him. Thereafter, they assaulted him with lathis, causing injuries to various persons. Further allegation has been made that petitioner No. 1 also snatched a gold chain.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that from the contents of the FIR, it becomes crystal clear that the alleged dispute has arisen due to a land issue, for which a case is already pending in the Court, as mentioned in the informant's FIR. It is also submitted that for the same date and place of occurrence, a case and counter-case have been lodged between the parties. The petitioners' side has filed Sikandra P.S. Case No. 103 of 2025, while the informant's side has lodged Sikandra P.S. Case No. 104 of 2025.

5. Counsel further submits that both parties are adjacent neighbours, and due to a petty dispute, the entire scuffle took place. It is also submitted that the day on which the occurrence took place was Holi, and over a minor matter, abusive language was exchanged between the parties, which resulted in a scuffle, causing injuries and leading to the present case.



6. Counsel further submits that, as per the order of the Sessions Court, the injury ascertained by the informant is simple in nature. It is also submitted that the criminal antecedents of petitioner Nos. 1, 2, and 3 are not clean, as one complaint case is pending against them in which they are on bail, whereas the criminal antecedent of petitioner No. 4 is clean. Counsel also submits that the petitioners are ready to fulfill all the conditions that may be imposed upon them.

7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that, upon a bare reading of the FIR, there are specific allegations of assault using various weapons, due to which injuries have been caused.

8. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that, for the same date and place of occurrence, a case and counter-case have been lodged between the parties, and both parties are residents of the same village.

9. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as



mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate 1st Class, Jamui, in connection with Sikandra P.S. Case No. 104 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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