

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43761 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- BASANTPUR District- Siwan

Surendra Singh @ Surendra Kumar Singh S/O Hari Kishor Singh @ FH
Harikishor Singh R/O Vill.- Gopalpur Tola Nawada, P.s.- Lakri Naviganj
Basantpur, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection with Basantpur P.S. Case No. 152/2025 lodged 15.03.2025, for the offences punishable under sections 126(2), 115(2), 109, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the F.I.R. has been lodged against three named accused persons, including the petitioner, alleging therein that while the informant was at her residence and her husband was having food, the accused persons called her husband outside. Upon his stepping out, all the accused persons, including the petitioner, allegedly assaulted him brutally. It is specifically alleged that the petitioner inflicted



injury on the informant's husband with a sword, causing injury to his hand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to a pre-existing land dispute. It is submitted that the petitioner and the informant are co-villagers and known to each other. From a bare perusal of the F.I.R., it appears that a land dispute is ongoing between the parties, and as a result, there are case and counter-case arising from the same date and place of occurrence. The petitioner's brother has lodged Basantpur P.S. Case No. 153 of 2025 against the informant and others, while the present case, Basantpur P.S. Case No. 152 of 2025, has been lodged by the informant's side. It is further submitted that the injury report of the informant's husband, annexed as Annexure P/2, indicates that the injury sustained is simple in nature. In fact, a scuffle broke out between the parties, and the petitioner himself also sustained injuries, as evidenced by the injury report annexed as Annexure P/4. The petitioner has no criminal antecedents and enjoys a clean record.

5. Learned APP for the State opposes the prayer for bail.

6. In the facts and circumstances, let the above named



petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned ACJM 1st Siwan, in connection with Basantpur P.S. Case No. 152/2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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