

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44187 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- SAKURABAD District- Jehanabad

1. Babuchand Singh S.O Late Mita Singh R/O Village- Ibrahimpur, PS- Shakurabad, District -Jehanabad
2. Uday Yadav @ Uday Singh S/O Late Mita Singh R/O Village- Ibrahimpur, PS- Shakurabad, District -Jehanabad
3. Nagesh Kumar S/O Babuchand Singh R/O Village- Ibrahimpur, PS- Shakurabad, District -Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Madhu Prasun, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-08-2025 Heard learned counsel appearing on behalf of the
petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 329(3), 109, 303(2), 118(1), 352, 351(2), 191(1), 191(2) and 190 of the B.N.S..

3. As per prosecution case, on 08.02.2025, all the F.I.R. named accused persons, including these petitioners, due to previous land dispute, armed with deadly weapons, came to house of informant and assaulted informant and his family members. It is alleged that Petitioner No. 1 assaulted mother of



informant with iron rod, Petitioner No. 2 assaulted one Ajad Kumar with iron rod and Petitioner No. 3 assaulted on head of son of informant. It is further alleged that all the accused persons looted cash and jewellery from house of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, on the alleged date and time of occurrence, on account of previous land dispute, a simple *maar-peet* took place in which both sides sustained injuries. There is case and counter-case between the parties. Doctor has found the injuries, alleged caused by Petitioner No. 3, simple in nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. with specific accusation that they, along with other accused persons, assaulted informant and his family members. Doctor has found the injuries, caused by Petitioner Nos. 1 and 2, grievous in nature. Petitioners have got one criminal antecedent each.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of



injuries sustained by the injured, the prayer for grant of anticipatory bail to Petitioner Nos. 1 and 2 is rejected.

7. So far as Petitioner No. 3 is concerned, considering the facts and circumstances of the case, case and counter-case between the parties and nature of injuries allegedly caused by Petitioner No. 3, the prayer for grant of anticipatory bail to Petitioner No. 3 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 3 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Shakurabad P.S. Case No. 36 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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