

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46095 of 2025

Arising Out of PS. Case No.-33 Year-2015 Thana- ATHMALGOLA District- Patna

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1. Ram Singhasan Singh, son of Late Jainanda Singh Village- Chanda PS -Athmalgola Distt- Patna
 2. Mantu Kumar @ Subodh Singh, son of Sri Ram Singhasan Singh Village- Chanda PS -Athmalgola Distt- Patna
 3. Pintu Kumar @ Subandhu Kumar, son of Sri Ram Singhasan Singh Village- Chanda PS -Athmalgola Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwanath Prasad, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 11-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Athmalgola P.S. Case No. 33 of 2015 dated 22.02.2015 / G.R. No. 275 of 2015 registered for the offences punishable under Sections 147, 148, 149 and 324 of the Indian Penal Code and Section 27 of the Arms Act.



3. As per prosecution case, there was Rokshadi of the informant's son. On 22.02.2015, when she was going for some work, she saw that altercation was going on between the family members of Ram Singhasan Singh and Ram Murli Singh regarding land dispute. Suddenly, members of both the families started firing at one another. Petitioners and one Jairam alias Chhote were firing from one side and from the other side Balendu Singh, Arvind Singh, Shiv Kumar Singh and Pawan Kumar were firing. During the course of firing, one bullet hit informant's chest and she fell down.

4. Learned counsel for the petitioners has submitted that there were two sides who were firing over one another on the issue of land dispute and there is no specific allegation of firing against any of the petitioners, rather allegations are general and omnibus. The informant sustained one injury and there was firing from both sides. The injury sustained by the informant is simple in nature. In light of aforesaid facts and circumstances of the case, no specific allegation is made out against the petitioners. Apart from that, petitioners have no criminal antecedent. In this way, the petitioners cannot be held liable for the same. It has been orally submitted that petitioners will not abscond rather will cooperate in the investigation to



prove their innocence.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners and submitted that the petitioners' name find place in the F.I.R. and the allegations are clear-cut mentioned and the petitioners cannot escape from the allegation made in the F.I.R.

6. Considering the facts and circumstances of the case, there being no specific allegation of firing against the petitioners, rather allegations are general and omnibus, keeping in view the clean antecedent of the petitioners, arguments advanced on behalf of both sides and also taking into consideration the materials available on record, the petitioners, above named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of SDJM, Barh in connection with Athmalgola P.S. Case No. 33 of 2015 / G.R. No. 275 of 2015, subject to the conditions as laid down under Section 482 (2) of BNSS.

7. The application stands allowed.

8. However, it is made clear that if the Investigating



Officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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