

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50950 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- Shahpur P.S. District- Nawada

Lalit Singh @ Lalit Narayan S/o Late Badri Singh R/o Village- Sarkati, P.S.-
Shahpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP
For the Informant	:	Mr. Birendra Kumar, Adv.
		Mr. Kumud Kishore, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-10-2025 Heard learned counsel for the petitioner and learned APP for the State as also learned counsel for the State.

2. The petitioner seeks bail in connection with Shahpur P.S. Case No. 37 of 2025 instituted for the offences under Sections 126(2), 115(2), 109, 351(2), 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution story, the informant alleged that while his uncle, Shyamkishore Singh was taking meal, at that time Lalit Singh (petitioner) came and firstly abused.



Upon objection, allegation is of giving iron rod blow over the head causing injury. In the meantime, the allegation is that co-accused also came forward with iron rods/garasa and assaulted the uncle who finally became unconscious. Thereafter the allegation is that Siyaram Singh assaulted his nephew Gulshan Kumar on head causing injury while Lalit Singh (petitioner) and Mahesh Singh started assaulting by fist and legs. When the informant came to the rescue, the allegation is that Mahesh Singh and Lalit Singh (petitioner) assaulted him due to which he also suffered injuries. As the villagers came, they left the place. The injured were referred to Primary Health Centre and then to Bardhaman Institute of Medical Science (BIMS), Pawapuri for the treatment. This led to the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to land dispute pending between the parties. There is a case and counter case between the parties.



The wife of the petitioner Nikki Devi has given a written report to the SHO, Shahpur police station upon which Shahpur P.S. Case No. 38 of 2025 was instituted against the informant's side. In the alleged occurrence both the parties sustained injuries and the petitioner and co-accused Mahesh Singh were also sustained head injuries and were referred to BIMS, Pawapuri. Learned counsel for the petitioner further submits that though the injury sustained by the injured Kishore Singh is grievous in nature caused by hard and blunt object but, the injuries sustained by the injured Ramlesh Kumar (informant) and Gulshan Kumar is concerned, they are simple in nature caused by hard and blunt object. The informant is not the eye-witness to the alleged occurrence. Both the parties are agnates and there is old land dispute between them regarding boundary of the land. The petitioner has two criminal antecedents and, in both of them, he is on bail and is languishing in judicial custody since 02.06.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the



State and the informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. It is further submitted that there is specific allegation of assault against the petitioner. The petitioner has also two criminal antecedents.

7. Learned counsel for the Informant has filed counter affidavit, stating therein that the injured Kishore Singh, Gulshan Kumar and Ramlesh Kumar have sustained injuries upon the vital part of the body. It is further stated that specific offence under Section 109 of the Bhartiya Nyaya Sanhita, 2023 is made out against the petitioner. It has further been stated that the prayer for anticipatory bail of the co-accused Mahesh Singh, Shyam Nandan Singh and Siyaram Singh has been dismissed by a Co-ordinate Bench of this Court vide order dated 16.07.2025 passed in Cr. Misc. No. 44598 of 2025.

8. Having heard rival contention of both the parties and considering the entire facts and



circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shahpur P.S. Case No. 37 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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