

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57166 of 2025

Arising Out of PS. Case No.-766 Year-2024 Thana- JAMUI District- Jamui

Madan Singh @ Madan Mohan Singh, S/o Late Hari Singh, R/o Village -
Khairma, P.O - Jamui, P.S - Jamui, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Jee, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-08-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Jamui P.S. Case No. 766 of 2024, registered for the
offences punishable under Sections 126(2), 15(2), 109 and 3(5)
of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly on the fateful day while the informant
was sitting at his house, in the mean time, the petitioner
alongwith two other persons armed with iron rod came there and
started assaulting. It is specifically alleged that this petitioner
assaulted the informant by means of iron rod over his head, due
to which he sustained serious injuries. There is further allegation
of strangulation against the other co-accused persons.



4. Learned Advocate appearing on behalf of the petitioner submitted that both the parties are *gotiyas* and there is a pending land dispute giving rise to Title Suit No. 29 of 1988, besides other criminal cases lodged against one others. Learned Advocate for the petitioner further submitted that besides the fact the petitioner is a senior citizen, aged about 64 years, the jurisdictional Court while rejecting the prayer for bail of the petitioner knowingly does not disclose the nature of the injury and *prima facie* it appears that the same is simple. The other accused person against whom there was identical allegation of assault and strangulation, they have been allowed privilege of bail by the Court below itself. The petitioner though bears one criminal antecedent, however, he is on bail in the said case.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that irrespective of the fact the nature of injury has not been disclosed, but the injury is attributed to the petitioner.

6. Having regard to the submissions set forth by learned Advocate for the respective parties and taking note of the nature of the injury coupled with the genesis of occurrence and the pending litigation, let the petitioner above named be released on bail, in the event of his arrest or surrender before the



court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 766 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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