

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64199 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- TARAIIYA District- Saran

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1. Krishna Kumar Singh S/o Shivrath Singh Resident of Village- Patti Pachraur P.S.- Taraiya, Distt- Saran
 2. Manish Kumar Singh @ Manish Kumar S/o Sanjay Singh Resident of Village- Patti Pachraur P.S.- Taraiya, Distt- Saran
 3. Suresh Singh @ Suresh Kumar Singh S/o Asharfi Singh Resident of Village- Patti Pachraur P.S.- Taraiya, Distt- Saran
 4. Asharfi Singh S/o Late Jamdar Singh Resident of Village- Patti Pachraur P.S.- Taraiya, Distt- Saran
 5. Om Prakash Kumar Sah @ Om Prakash Sah S/o Babulal Sah R/o Vill- Faridpura, P.S.- Taraiya, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Surendra Kishore Thakur
For the Opposite Party/s :	Mr. Murli Dhar- A.P.P.
	Mr. Amit Kumar Jha
	Mr. Asfar Imam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-09-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117, 109, 303(2), 352, 351(2), 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioner nos.1, 2, 3 and 4 are persons with clean antecedent and petitioner no.5 has antecedent of two cases and the



informant alleges that he reached home from his shop and took out money from his dickey when he was surrounded by 20-25 accused and Ravikant assaulted him by knife causing injury above his eye, thereafter Om Prakash assaulted by Daab causing injury knees, while Krishna assaulted him by knife causing injury near other eye. Further, Harendra assaulted by rod causing fracture of jaw and injury on eye, thereafter Manish assaulted by sword causing injury on left hand. Further, Suresh and Asharfi assaulted by rod to his son, wife and daughter in-law, thereafter Ravikant assaulted his son Manoj by knife causing injury on head. Further, Mantu and Jai Prakash assaulted his daughter in-law and tore her cloths, while Harendra snatched the money and left thinking that informant has died, but again came back when informant said he is alive but by then his son locked the gate.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from the side of the petitioners, Taraiya P. S. Case No.40 of 2025 has been instituted against the informant and his side. It is also submitted that date of occurrence is 04.02.2025 and the FIR came to be instituted on 07.02.2025 i.e. after a delay of three days. It is also



submitted that from the side of the petitioners also people have suffered injury, both simple and grievous. It is further submitted that on account of dispute relating to land, the occurrence took place in which both sides assaulted each other. It is also submitted that petitioner no.4 Asharfi Singh is aged about 70 years and has remained a person with clean antecedent all throughout, but came to be implicated with general and omnibus allegation of assault along with Suresh.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application. The learned counsel appearing on behalf of the informant submits that informant and Munna received grievous injury. It is next submitted that even assault was brutal, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that though Asharfi and Suresh are alleged to have assaulted, but then, the injury suffered by the son of the informant has been opined to be simple.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to petitioner nos.1, 2 and 5.

7. The prayer for anticipatory bail of petitioner nos.1,



2 and 5 stands rejected.

8. So far as petitioner nos.3 and 4 are concerned, the petitioner nos.3 and 4, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Taraiya P. S. Case No.32 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

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