

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63751 of 2025

Arising Out of PS. Case No.-49 Year-2012 Thana- BETTIAH CITY District- West
Champaran

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Sunil Singh S/o Late Ramashish Singh R/o Village - Hanumat Nagar, Ward
No. - 04, P.S - Bettiah Town, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.
For the Opposite Party/s : Mr.Amitesh Kumar, APP

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

ORAL ORDER

3 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Hon'ble
Court with a prayer for anticipatory bail which was rejected vide
order dated 13.03.2015 passed in Cr. Misc. No. 38397 of 2014.

2. The petitioner seeks bail in connection with Bettiah
Town P.S. Case No. 49 of 2012 instituted for the offences under
Sections 452, 341, 323, 324, 307, 379, 34 of the Indian Penal
Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of assaulting the
informant by means of iron dab and *lathi-danda*. It is also
alleged that when the informant's wife came for rescue, she was



also pushed and the accused persons took away Rs. 5,000/- kept in a lady bag.

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. Both the parties are next door neighbour and the alleged occurrence took place due to dispute regarding drainage. Learned counsel for the petitioner further submits that the injury sustained by the informant is simple in nature. He further submits that there is delay of two days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. There is a case and counter case between the parties. The mother of the petitioner has also lodged F.I.R. against the son of the informant being Bettiah Town P.S. Case No. 81 of 2012. The matter has also been compromised between the parties and now both the parties do not want to pursue the matter any further. The petitioner has no criminal antecedent and is languishing in judicial custody since 04.08.2025 without any rhymes or reason.

5. Learned counsel for the petitioner has filed supplementary affidavit in this case stating therein that the charge-sheet has been submitted on 08.07.2014 under Sections



448, 341, 324, 307, 506 of the I.P.C. and the cognizance has also been taken on 28.02.2015 under the same sections and the case is fixed for appearance of the accused persons.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that there is direct allegation of assault by means of iron *daab* due to which he sustained injury upon his head.

7. 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 and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bettiah Town P.S. Case No. 49 of 2012.

(Rudra Prakash Mishra, J)

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