

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63817 of 2025

Arising Out of PS. Case No.-290 Year-2025 Thana- PANCHRUKHI District- Siwan

1. Raj Kishori Devi W/O Raj Narayan Singh @ Raj Naeayan Singh R/O Vill.- Bariyarpur, P.S.- Pachrukhi, Post- Gamhariya, Dist.- Siwan
2. Raj Narayan Singh @ Raj Naeayan Singh S/O Late Ramugrah Singh R/O Vill.- Bariyarpur, P.S.- Pachrukhi, Post- Gamhariya, Dist.- Siwan
3. Balindra Singh S/O Baijnath Singh R/O Vill.- Bariyarpur, P.S.- Pachrukhi, Post- Gamhariya, Dist.- Siwan

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-09-2025 At the very outset, learned counsel for the petitioners seeks permission to make necessary correction in father's name of petitioner no. 2 during course of the day.

2. Permission, as sought for, is granted.

3. Heard learned counsel for the petitioners and learned A.P.P. for the State.

4. The petitioners are apprehending their arrest in connection with Pachrukhi (Panchrukhi) P.S. Case No. 290 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 352, 351(2), 3(5) of Bhartiya Nyaya Sanhita, 2023.



5. As per prosecution case, on 22.06.2025 petitioner no. 3/ Balindra Singh and petitioner no. 2, Raj Narayan Singh opened the handle of hand pump situated in the courtyard of informant and when informant's wife raised objection, petitioner no. 1/ Raj Kishori Devi and others abused and assaulted her with lathi and danda. It is alleged that when the informant came to rescue, petitioner no. 3/ Balindra Singh attacked the informant by means of knife due to which he sustained injury on the right hand. It is further alleged that petitioner no. 2/ Raj Narayan Singh assaulted the informant's brother by means of farsa due to which he sustained injury on the head and petitioner no. 1/ Raj Kishori Devi assaulted upon the head of informant's brother by means of iron rod.

6. Learned counsel for the petitioners submits that petitioners are quite innocent and have committed no offence as alleged in the FIR and they have falsely been implicated in this case. Petitioners have stated in para 3 of the bail petition that petitioner no. 1 and 2 bears criminal antecedent of one case i.e. Pachrukhi P.S. Case No. 198 of 2020 and petitioner no. 3 bears criminal antecedent of one case i.e. Pachrukhi P.S. Case No. 199 of 2020 and in the aforesaid cases, petitioners are on bail. It has been orally submitted that all the cases have been lodged by the



same party. He further submits that alleged occurrence is outcome of a long standing land/property dispute between close family members. Petitioners and informant are close relative as petitioner no. 2 is full brother of informant and petitioner no. 3 is cousin brother of the informant and present FIR has been instituted only on account of personal enmity and family discord. He further submits that there is case and counter case between both the parties on the same date of occurrence and hence, free fighting cannot be ignored. He further submits that informant, informant's wife and informant's brother have sustained simple injury, as mentioned in the impugned order. Thus the medical evidence does not support the allegation of any grievous injury, as alleged in the FIR. He further submits that there is land dispute between the parties and in cases of land dispute, facts are generally exaggerated to make the offence graver.

7. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation of assault against the petitioners and the same is supported by the injury report and hence, petitioners does not deserve bail.

8. Considering the facts and circumstances of the



case, all the injuries are simple in nature, argument advanced on behalf of both sides and also taking into consideration the material 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/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Pachrukhi P.S. Case No. 290 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

9. The application stands allowed.

(Alok Kumar Pandey, J)

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