

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70551 of 2024

Arising Out of PS. Case No.-380 Year-2024 Thana- SHERGHATI District- Gaya

1. Bijay Singh Son of Late Tapsi Singh Resident of village Samodbigaha, P.S.- Sherghatti, Distt.- Gaya
2. Abhishekh Kumar Son of Sanjay Singh Resident of village Samodbigaha, P.S.- Sherghatti, Distt.- Gaya
3. Sudhanshu Kumar Son of Dhananjay Singh Resident of village Samodbigaha, P.S.- Sherghatti, Distt.- Gaya
4. Roushan Kumar Son of Binay Singh Resident of village Samodbigaha, P.S.- Sherghatti, Distt.- Gaya
5. Dhananjay Singh Son of Bijay Singh Resident of village Samodbigaha, P.S.- Sherghatti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arya Achint, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.
For the Informant : Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-01-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 191(2), 190, 126, 115(2), 117(2), 303(2), 75, 109, 352, 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per F.I.R., allegation against petitioners is that they assaulted informant and her family members by means of *lathi, danda, khanti*, etc. due to which they sustained multiple



injuries. It is further alleged that these petitioners also misbehaved with female members of the family and threatened them with dire consequences.

4. Learned counsel appearing for the petitioners submits that both parties are *gotiyas* and due to land dispute, free fight took place in which both sides sustained injuries. Case and counter case. Petitioners claim clean antecedent.

5. However, learned counsel for the informant opposed the bail application and submits that injury caused by petitioner No. 1 is grievous in nature. So far rest of the petitioners are concerned, injuries caused by them are simple in nature.

6. In view of the fact that petitioner No. 1 caused grievous injury, **prayer for anticipatory bail of petitioner No. 1 is refused**. However, considering the simple injury the **anticipatory bail with regard to petitioner Nos. 2 to 5 is allowed** and it is ordered that the above named petitioner Nos. 2 to 5 in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Sherghati (Gaya) in



connection with Sherghati (Gaya) P. S. Case No. 380 of 2024,
subject to condition as laid down under Section 482(2) of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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