

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66160 of 2025

Arising Out of PS. Case No.-664 Year-2022 Thana- DARIYAPUR District- Saran

1. Sonu Kumar Singh @ Amajeet Kumar Singh S/O Late Mohan Singh R/O Vill.- Malkhachak, P.S.- Dighwara, Dist.- Saran.
2. Amit Kumar @ Amit Kumar Singh S/O late Mohan Singh R/O Vill.- Malkhachak, P.S.- Dighwara, Dist.- Saran.
3. Shanni Kumar @ Suny Kumar Singh @ Yashrajan Kumar Singh S/O Umesh Singh R/O Vill.- Malkhachak, P.S.- Dighwara, Dist.- Saran.
4. Jhunna Singh @ Ankit Kumar S/O Mantu Singh R/O Vill.- Malkhachak, P.S.- Dighwara, Dist.- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Nawal Kishore Singh, Advocate
For the State	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioners and
learned APP for the State.

2. After some arguments, learned counsel for the petitioners prays for withdrawal of the anticipatory bail application with respect to petitioner no. 1 namely, Sonu Kumar Singh @ Amajeet Kumar Singh in order to surrender and seek regular bail.

3. Permission, as prayed for, is accorded.

4. Accordingly, the present bail application with respect to petitioner no. 1 namely, Sonu Kumar Singh @



Amajeet Kumar Singh is dismissed as withdrawn with a liberty to the petitioner no. 1 that if he surrenders and seeks regular bail within a period of three weeks before the learned trial Court, the same shall be considered on its own merit without being prejudiced by the present order of withdrawal.

5. Now, the anticipatory bail application survives only for petitioner nos. 2, 3 and 4.

6. The petitioners apprehend their arrest in connection with Dariyapur P.S. Case No. 664 of 2022, dated 09.12.2022, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 379, 504 and 506 read with Section 34 of the Indian Penal Code.

7. As per the prosecution case, the allegation in the FIR is that the accused persons came variously armed and petitioner no. 1 assaulted the informant by butt of the pistol on his temple while the rest assaulted one Rupendra Kumar Singh, who had come to save the informant.

8. Learned counsel for the petitioners submits that the specific allegation of assault has been attributed only to petitioner no. 1 and that too has produced simple injury caused by hard and blunt object, which would be evident from Annexure P/2 of the informant Digvijay Singh. So far as other



petitioners are concerned, there is general and omnibus allegation of assaulting Rupendra Singh and the injury inflicted upon Rupendra Singh is also simple in nature, in the nature of pain and swelling. It has further been submitted that the very fact of non-repetition of blow and the injury being simple in nature would lead to the inference that no offence under Section 307 of the IPC would be made out. It has lastly been submitted that there is delay of five days in lodging of the FIR, in as much as the occurrence took place on 04.12.2022 while the FIR in the present case was lodged on 09.12.2022.

9. Learned Additional Public Prosecutor for the State on the other hand vehemently opposes the prayer for grant of anticipatory bail to the petitioners.

10. Taking into consideration the facts and circumstances of the case and further considering the fact that the allegation on petitioner nos. 2, 3 and 4 is confined to general and omnibus allegation of assault on Rupendra Singh, who received simple injuries coupled with the fact that there is a delay of five days in lodging of the FIR, let the petitioners, above-named, in the event of their arrest or surrender before the Court concerned within a period of four weeks, be released on anticipatory bail, on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra, in connection with **Dariyapur P.S. Case No. 664 of 2022**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the BNSS.

(Soni Shrivastava, J)

Shahnawaz/-

U		T	
---	--	---	--

