

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68524 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- NARDIGANJ District- Nawada

1. Abhay Singh @ Abhay Kumar S/O Surendra Singh Resident of Village-Kahuara, P.S.- Nardiganj, District- Nawada
2. Archana Kumari W/O Abhay Singh @ Abhay Kumar Resident of Village-Kahuara, P.S.- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 126(2), 127(2), 115(2), 109, 3(5), 118(1), 352, 351(2) and 351(3) of B.N.S., 2023 and Section 27 of the Arms Act.

3. The allegation in the first information report is that the accused persons including the present petitioners came variously armed and after surrounding the grandson of the informant assaulted him causing injuries to him.

4. Learned counsel for the petitioners submits that it would be apparent from the first information report itself that



the specific allegation upon the petitioner no.1 is that of assaulting Amit Kumar on his head by means of *khanti* while allegation on co-accused Uday Singh is that of assaulting the injured by means of rod causing injury on his nose. From perusal of the injury report of the said Amit Kumar, which is Annexure-P/2, it would reveal that wounds of laceration have been found on the left cheek and on the left side of nose which are both simple in nature and also caused by hard and blunt substance. So far as the injury no.3 is concerned, which subsequently appears a serious injury, is attributed to co-accused Uday Singh. It is further submitted that the petitioners and the informant side are *gotias* and on account of dispute with regard to partition, the petitioners have been made accused in the present case. With regard to petitioner no.2, who is a lady and wife of petitioner no.1, there are ornamental allegation of indulging in assault by means of fists etc.

5. Learned APP for the State opposes the grant of anticipatory bail.

6. Taking into consideration the facts aforesaid and also considering that the present petitioners are not the authors of one serious injury suffered by the injured Amit, further considering the fact that both sides are *gotias* and there is



dispute between the parties with regard to partition, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, be released on 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 the learned court below where the case is pending/successor court in connection with Nardiganj P.S. Case No.38 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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