

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75836 of 2024

Arising Out of PS. Case No.-21 Year-2018 Thana- SINGHESHWAR District- Madhepura

1. Md. Insul S/o- Md. Kudus Village- Gahumani Ps- Singheshwar Dist- Madhepura
2. Md. Guljar S/o- Md. Wakil @ Md. Wakil Village- Gahumani Ps- Singheshwar Dist- Madhepura
3. Md. Nabas @ Md. Navas Son of Md. Kamaruddin Village- Gahumani Ps- Singheshwar Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Adv
	:	Mr. Dhananjay Kr. Gupta, Adv
	:	Mr. Dhandev Kumar, Adv
	:	Mr. Atul Kumar, Adv
	:	Mr. Sumit Kr. Gupta, Adv
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 09-04-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in the

F.I.R. and apprehended their arrest in connection with

Singheshwar P.S. Case No. 21 of 2018 registered for the

offences punishable under Sections 341, 447, 448, 323, 307,

324, 504 and 506/34 of the Indian Penal Code.

3. The allegation against the petitioners is to



assault informant and others by using iron rod, sword, *farsa* etc. causing head and bodily injuries. It is alleged further that aforesaid injuries were caused with intention to cause their death, where occurrence alleged to arisen out of land dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that as alleged occurrence was free fight in nature, therefore it can be safely gathered that petitioners were not under intention to cause death of the injured/informant. It is submitted that for the same set of occurrence petitioner's side also lodged a case earlier to present FIR, which has been registered as Singheshwar P.S. Case No. 20 of 2018 dated 02.02.2018 and subsequently to counter aforesaid case, present case was lodged by the informant. It is submitted that during the occurrence both parties received injury, which took place in the background of land dispute, where alleged assault not appears repeated and nature of injury also appears found simple upon medical examination of injured person negating, prima-facie, intention to cause death of the informant/injured. While concluding the argument it is submitted that petitioners are men of clean



antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of aforesaid facts and circumstances and by taking note of the fact as occurrence, prima facie, appears free fight in nature, where injury found simple in nature and non-repeated upon medical examination, accordingly all above named petitioners, in the event of their arrest or surrender before the learned Trial Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Madhepura/concerned Trial Court where the case is pending in connection with Singheshwar P.S. Case No. 21 of 2018 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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

