

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76401 of 2023

Arising Out of PS. Case No.-240 Year-2022 Thana- SALIMPUR District- Patna

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1. Ajit Kumar Singh @ Ajit Singh @AJIT Kumar S/O Ravindra Singh Resident Of Vill.-BENIPUR, P.S.- Salimpur, Dist- Patna, Bihar.
 2. Kundan Kumar Singh @ Kunal Kumar @ Kundan Kumar @ Kundan Singh Ravindra Singh Rsdident Of Vill.-BENIPUR, P.S.-SALIMPUR, Dist-Patna, Bihar.
 3. Purushottam Kumar @ Sujit Kumar @ Buchi Singh @ Buchhi @ Buchhi Kumar (MALE), S/O Ravindra Singh Resident Of Vill.-BENIPUR, P.S.- Salimpur, Dist- Patna, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Adv.
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

12 07-02-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State. None appears on behalf of the informant.

2. The petitioners apprehend arrest in connection with Salimpur P.S. Case No. 240 of 2022 dated 11.11.2022, instituted for the offence punishable under Sections 147, 148, 149, 323, 325, 307, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that on 05.11.2022 at about 04:00 PM Devendra Singh the uncle of the informant Abhay Kumar was sitting on Chabutara of



one Arjun Singh. At that very time F.I.R. named eight accused persons including these petitioners attacked upon Devendra Singh. Allegation is that co-accused Kundan Kumar (petitioner no. 2) and co-accused Ajit Kumar (petitioner no. 1) assaulted uncle of the informant by means of rod causing injury on the head and jaw respectively. Co-accused, Purushottam Kumar @ Sujit Kumar (petitioner no. 3) also allegedly assaulted him causing injury near his left eye.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that both the parties are on inimical term as well as there is land dispute between both the parties. It is submitted that one Binod Singh, who is uncle of the informant, has filed a case bearing Title Suit No. 10 of 2021. It is submitted that father of the petitioners, namely, Ravindra Singh is defendant in the said Title Suit. It is submitted that the allegation against the petitioners are specific. The petitioner no. 1 is said to have assaulted the uncle of the informant on his jaw, petitioner no. 2 is said to have assaulted on his head by means of iron rod and



petitioner no. 3 is alleged to have assaulted near the left eye. It is submitted that a managed medical report has been prepared in support of prosecution case. There is no report of any Government hospital or Primary Health Centre available in the case diary. It is evident that several opportunities were given to the prosecution to produce case diary but it was not furnished before the learned Sessions Judge, which also creates serious doubt that all the evidences have been created by the informant's side in collusion with the police only to harass the petitioners. Lastly, it has been submitted that they have four criminal cases against them.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Nobody appears on behalf of the informant. Despite taking time for filing re-joinder to the bail petition and supplementary affidavit in several dates, no reply has been filed in this case on behalf of the informant.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with



Salimpur P.S. Case No. 240 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-Ist Class, Barh, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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