

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71018 of 2025

Arising Out of PS. Case No.-53 Year-2022 Thana- ISUAPUR District- Saran

Sani Kumar Singh @ Sani Singh Son of Raghuwar Singh Resident of - Datra Parsauli, P.S.- Isuapur, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-11-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 354(B), 307, 448 and 34 of the Indian Penal Code.

3. The Investigating Officer of the case, in compliance of the order dated 04.11.2025, is present in the Court.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that petitioner along with Dharmendra came at his door at 11 pm on 17-3-2022 during *Holika Dahan*, when Dharmendra stubbed his brother Rohit thrice causing injury, while petitioner threatened with a country made pistol, thereafter five unknown



accused came and tried to outrage the modesty of his mother, on information police came to the place of occurrence when the accused persons fled.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of stabbing the brother of the informant is against Dharmendra, while petitioner is alleged to have threatened with pistol, but then it is also submitted that date of occurrence is 17.03.2022 and the FIR was instituted on 23.03.2022 i.e. after a delay of six days and the FIR was sent to the Court of learned Magistrate on 30.03.2022 i.e., after a delay of 7 days which casts an aspersion on the case of the prosecution. It is also submitted that though it is alleged that Dharmendra stabbed his brother thrice, but then the FIR does not even remotely disclose that on which part of the body the brother of the informant suffered injury. It is also submitted that the order impugned though records that there is an injury report on record, but then the same has not been discussed. It was submitted that it was in this circumstance that the Investigating Officer of the case was called for.



6. The Investigating Officer of the case, who is present in the Court, submits that the injury suffered by the injured has been opined to be simple caused by hard and blunt substance, on which the learned counsel appearing on behalf of the petitioner submits that this perhaps explains why in the FIR, the informant did not allege that on which part of the body, his brother had suffered stabbed injury. It is submitted that his brother was never stabbed and only to give seriousness to the case, a false FIR was instituted after a delay of six days.

7. The learned APP for the State also is not in a position to oppose the anticipatory bail application.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Isuapur P.S. Case No. 53 of 2022 subject to the conditions as laid down under Section 482 (2) of BNSS.

9. The personal appearance of the Investigating



Officer of the case is dispensed with.

10. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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