

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73700 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- KRISHNAGARH District- Bhojpur

1. Nagendra Singh S/O Deo Kumar Singh R/O Village- Pakary, P.S- Krishnagarh, Dist.- Bhojpur.
2. Brij Kumar Singh S/O Budh Ram Singh @ Budhra Ram Singh R/O Village- Pakary, P.S- Krishnagarh, Dist.- Bhojpur.
3. Shankar Singh @ Vishnu Shankar Singh S/O Barhak Singh R/O Village- Pakary, P.S- Krishnagarh, Dist.- Bhojpur.
4. Sanny Singh S/O Late Upendra Singh R/O Village- Pakary, P.S- Krishnagarh, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 19-11-2025 Heard the parties.

2. At the very outset, learned counsel for the petitioners submits that he does not want to press the prayer for anticipatory bail of petitioner no. 3, he, therefore, seeks withdrawal of the same.

3. Permission is granted.

4. Accordingly, the application for anticipatory bail with respect to petitioner no.3, namely, Shankar Singh @ Vishnu Shankar Singh stands dismissed as not pressed.

5. Now the anticipatory bail application of petitioners no.1, 2 and 4, is being considered as they are apprehending their



arrest in connection with Krishnagarh P.S. Case No. 97 of 2025 instituted under Sections 126(2), 115(2), 351(2), 109, 74, 303(2), 117(2), 3(5) of the BNS, 2023 lodged on 14.07.2025 by the informant, Shambhu Yadav.

6. As per the prosecution story, the informant alleged that on 13.07.2025 while he was at his field, all the accused persons namely Sumit Singh, Shankar Singh (petitioner no.3), Dev Kumar Singh, and Nagendra Singh (petitioner no.1), armed with *lathis*, iron rods, and sticks came to his home and started abusing and dragged his son Golu Kumar Yadav and assaulted him. When his wife Urmila Devi, his son Vivek Kumar, and the informant reached there, they saw that Golu Kumar was tied and was being assaulte. Lateron, Brij Kumar Singh, Navdeep Singh, Rameshwar Singh, and Ram Niwas Singh Joined them. They hit Golu on the head with an iron rod, Sumit Singh struck his temple with a pistol butt causing bleeding, and Nagendra Singh hit him on the neck with a rifle butt, due to which he fell unconscious. When they tried to rescue him, Brij Kumar and Navdeep assaulted the informant, while Sunny Singh and Dev Kumar broke Vivek's hand with an iron rod. The accused also assaulted the informant's wife, pulling her by the hair and throwing her down. They were also threatened to be killed.



Accordingly, the FIR.

7. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to *mala fide* intention of the informant and they have not committed any offence as alleged in the FIR. Learned counsel for the petitioners, by referring to the allegations made in the FIR, submits that there is nothing specific against these petitioners and the allegations of causing injury is against petitioner no.3, Shankar Singh @ Vishnu Shankar Singh whose application for anticipatory bail has already been dismissed as withdrawn and there is a counter version to the entire incident, the details of which has been narrated in para-9 of the present petition being Complaint Case No. 1065/2025 filed by the side of the petitioners for the same occurrence. Learned counsel lastly submits that the petitioners have got clean antecedent.

8. Learned APP opposes the prayer for anticipatory bail stating that though petitioners have got clean antecedent but one of the injured persons has received serious injury.

9. Considering the nature of allegation levelled against the petitioners and the injuries being simple in nature and the allegation of overt-act for causing grievous injury is upon petitioner no.3, whose application for anticipatory bail has



been dismissed as withdrawn, and the petitioners have got clean antecedent, this Court is inclined to extend the petitioners no.1, 2 and 4 the privilege of anticipatory bail.

10. Let the petitioners no.1, 2 and 4, namely, Nagendra Singh, Brij Kumar Singh and Sanny Singh be released on bail, in the event of their arrest or surrender before the subordinate court within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with aforesaid P.S. Case to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur, Ara subject to the conditions as laid down under Section 482(2) of the BNSS and following conditions.

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the



*witnesses or tamper with the evidences,
failing which the State shall be at liberty to
take steps for cancellation of the bail bonds.*

11. At this stage, learned counsel for the petitioners submits that on surrender being made by the petitioner no.3 before the trial court, the concerned court may be directed to consider his bail application on its own merit without being prejudiced by this order.

12. The same is, accordingly, ordered.

(Ajit Kumar, J)

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