

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84883 of 2024

Arising Out of PS. Case No.-249 Year-2024 Thana- NASRIGANJ District- Rohtas

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1. Upendra Singh S/o Mahendra Singh R/o Village- Hardi Bigha, P.S.- Nasriganj, District- Rohtas
 2. Santosh Singh S/o Mahendra Singh R/o Village- Hardi Bigha, P.S.- Nasriganj, District- Rohtas
 3. Guddu Kumar S/o Baban Singh R/o Village- Hardi Bigha, P.S.- Nasriganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shashi Kant
For the State	:	Mr.Harendra Prasad
For the informant	:	Ms. Riya Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 08-04-2025 1. This application, so far as petitioner no. 1 is concerned, was allowed to be withdrawn vide order, dated 07.03.2025.
2. Heard learned Counsel for the petitioner no. 2 and 3, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
3. This application, for grant of anticipatory bail, arises out of Nasriganj Police Station Case No. 249 of 2024, dated 10.08.2024, disclosing offences punishable under Sections 126(2)/115(2)/118 (1)/109/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.



4. The prosecution case, as per the First Information Report, is that while the informant was going to his field, the accused persons, variously armed, came there and assaulted the informant and when the informant raised alarm, other persons reached there, the accused persons, including the petitioner nos. 2 and 3 assaulted them also. It is alleged in the First Information Report that the petitioner no. 2 assaulted one Parshuram Singh by lathi on his left hand and right leg, due to which he sustained injuries and the petitioner no. 3 assaulted one Panchlal Singh by lathi on his head, due to which he sustained injury on his head.
5. Learned Counsel for the petitioner no. 2 and 3 submits that both the parties are agnates and the petitioners have falsely been implicated in this case due to land dispute inasmuch as Title Suit No. 350 of 2023 is pending between the parties. He further submits that a counter case has been lodged by the side of the petitioners for the occurrence which took place on the same date and time. He further submits that the injuries sustained by Panchlal Singh and Parshuram Singh are simple in nature.
6. On the other hand, learned Counsel for the informant



vehemently opposes the prayer for anticipatory bail and submits that the petitioners and other co-accused persons have assaulted the informant and others, due to which some persons have sustained simple injuries and some persons have sustained grievous injuries, as would be evident from the impugned order. She further submits that earlier also, the father of the present informant filed Nasriganj Police Station Case No. 244 of 2024 against the petitioners and other co-accused persons and after their release on bail, they have again committed the present offence.

7. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates, there is case and counter case between them, land dispute is also there and the injuries sustained by Panchlal Singh and Parshuram Singh are simple in nature, I am inclined to grant the petitioner nos. 2 and 3 privilege of anticipatory bail.
8. This application is, accordingly, allowed.
9. Let the petitioner nos. 2 and 3, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on



furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bikramganj, Rohtas, in connection with Nasriganj Police Station Case No. 249 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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