

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76137 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- AWTARNAGAR District- Saran

1. Kanahaiya Singh, S/o Late Chhathu Singh, R/o Village- Sakhnauli @ Sakahouli, Marhapur, P.S - Awatar Nagar, District - Saran
2. Chhote Sarkar, S/o Kanahaiya Singh, R/o Village - Sakhnauli @ Sakahouli, Marhapur, P.S - Awatar Nagar, District - Saran
3. Kunjal Kumar Singh @ Kunjal Kr. Singh, S/o Kanahaiya Singh, R/o Village - Sakhnauli @ Sakahouli, Marhapur, P.S - Awatar Nagar, District - Saran
4. Sunil Singh, S/o Ramekbal Singh, R/o Village - Sakhnauli @ Sakahouli, Marhapur, P.S - Awatar Nagar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-11-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Awtar Nagar P.S. Case No. 264 of 2025 registered for the offences under Sections 126(2), 118(2), 109, 351(2), 352(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the informant was sitting at the shop of one Satyendra Singh, in the meanwhile, the petitioners along with others came there and started abusing. It is specifically alleged that petitioner no.2 (**Chhote Sarkar**) assaulted the informant by means of *Dabia* over his head, due to



which he got a serious injury.

4. Learned Advocate for the petitioners submitted that in fact there is case and counter case, bearing Awtar Nagar P.S. Case No. 264 of 2025, which is on earlier point of time instituted against the informant and other persons. On the fateful day, the parties, who are local residents entered into a scuffle, resulting into injuries to the persons of both sides and only with a view to wreak vengeance and put pressure, the present F.I.R. came to be instituted. So far petitioner nos. 1, 3 and 4 are concerned, there is omnibus nature of allegation against them.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that all the petitioners brutally assaulted the informant, besides there is specific allegation against petitioner no.2 of causing grievous injury over the head of the informant. The petitioner nos. 1, 2 and 3 are carrying three criminal antecedent over their head.

6. Considering the specific accusation against **petitioner no.2, namely, Chhote Sarkar**, of causing grievous injury to the informant, this Court is not acceded to the prayer for grant of anticipatory bail to petitioner no.2. Accordingly, his prayer for grant of **anticipatory bail stands rejected**.

7. So far petitioner nos. 1, 3 and 4 are concerned,



considering the omnibus nature of allegation, besides the factum of case and counter case, **let the petitioner nos. 1, 3 and 4**, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Awtar Nagar P.S. Case No. 264 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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