

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86917 of 2024

Arising Out of PS. Case No.-179 Year-2024 Thana- KALYANPUR District- East Champaran

Arun Singh @ Arun Kumar Singh @ Rajeev Kumar Singh S/o- Late Vashisth
Narayan Singh @ Vashistha Singh village- Shambhu chak Bahuara Ps-
Kalyanpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-04-2025 Heard Mr. Binay Kumar Tripathi, learned counsel

for the petitioner and Mr. Yogendra Kumar, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 179 of 2024, F.I.R. dated 19.06.2024 for the offences punishable under Sections 341, 323, 304, 354(B) and 34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

3. According to prosecution case, on 19.06.2024 all the accused persons including the petitioner along with 5-6 unknown persons came to the purchased land of the informant and started to measure the land to construct house over the same and when the informant and her family members made a protest



for the same then petitioner and other accused persons assaulted the father-in-law of the informant on his forehead and next to ear with an intention to kill him.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. It appears from the F.I.R. itself that due to admitted land dispute the present occurrence has been taken place. Although, there is specific allegation against this petitioner and other co-accused person, namely, Vicky Kumar that they assaulted the father-in-law of the informant and later on the father-in-law of the informant has died. He further submits that although there is specific allegation against the petitioner but the medical evidence does not support the allegation as alleged in the F.I.R.

5. The learned Additional Public Prosecutor as well as learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner and submits that from the perusal of the postmortem report, it appears that allegation as alleged in the F.I.R. supported by the medical evidence which is on external examination-1. abrasion over the nose with size



1/2”*1/2”. 2.-Abrasion over the right side of forehead with size 1/2”*1/4”. It appears from the F.I.R. itself that there is direct and specific allegation against this petitioner.

6. Considering the allegation as alleged in the F.I.R that there is direction and specific allegation of assault against this petitioner supported by the medical evidence, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Kalyanpur P.S. Case No. 179 of 2024 pending in the court of Chied Judicial Magistrate-IV, Motihari , East Champaran

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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