

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84648 of 2025

Arising Out of PS. Case No.-207 Year-2025 Thana- MAKER District- Saran

1. Jitendra Singh S/O Late Shama Singh Resident of Village- Phulwariya, Police Station- Maker, District- Saran
2. Ajay Singh @ Ajay Kumar Singh S/O late Shama Singh Resident of Village- Phulwariya, Police Station- Maker, District- Saran
3. Shailesh Singh @ Shailesh Kumar Singh S/O Akhileshwar Singh @ Akhileshwar Singh Resident of Village- Phulwariya, Police Station- Maker, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar Tiwary, Advocate
For the State	:	Dr. Indivar Kumari, APP
For the Informant	:	Mr. Rajni Kant, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-12-2025 Learned Advocate for the petitioners submitted that during the pendency of the present application, petitioner nos. 2 and 3 have got arrested and, as such, he seeks permission to withdraw the bail application on behalf of petitioner nos. 2 and 3.

2. Permission is accorded.

3. Heard the learned Advocate for petitioner no.1 and the learned APP for the State as well as learned Advocate for the informant.

4. The petitioner no.1, namely, Jitendra Singh, is apprehending his arrest in connection with Maker P.S. Case No. 207 of 2025 registered for the offences punishable under



Sections 126(2), 115(2), 109, 76, 309(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. Allegedly the accused persons were involved in harassing the informant's wife and when the same was objected to, the petitioner no.1 called upon the informant in his Fertilizer shop and locked him. It is further alleged that in the shop, there had already been other accused persons, who had brutally assaulted the informant. It is specifically alleged that this petitioner also gave a *Barchha* blow on the neck of the informant, but he any how rescue, due to which he sustained injury in his right hand. There is further allegation of snatching valuables; besides the allegation of causing assault by means of various weapons. The accused persons, including the petitioner no.1, also misbehaved with the wife of the informant.

6. Learned Advocate for the petitioner no.1 submitted that on account of allegation and counter allegation, both the parties have entered into a free fight, resulting into unfortunate injuries at the hands of the informant and others, leading to institution of Maker P.S. Case No. 206 of 2025 against the informant and others. The petitioner was all along under treatment in PMCH, where his fardbeyan was recorded. So far as the present incidence is concerned, the allegation against the



petitioner of causing *Barchha* blow falls to the ground for the simple reason that no such injury has been found over the body of the informant. Moreover, the petitioner no.1 is a man of fair antecedent and the allegation of misbehaviour with the wife of the informant is wholly concocted and frivolous.

7. On the other hand, learned APP for the State and the informant opposed the bail application and submitted that the informant has sustained five grievous injuries and there is a specific allegation that he was called upon by the petitioner no.1 and locked inside his shop and he along with other accused persons brutally assaulted him. There is allegation of misbehaving with the wife of the informant is also alleged against the petitioner no.1.

8. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the nature of the accusation against the petitioner no.1, especially the fact that the fertilizer shop was owned by the petitioner no.1 and he had called upon the informant where the occurrence took place, besides the allegation that he has also actively participated in the occurrence and assaulted the informant, leading to five grievous injuries, this Court is not persuaded to enlarge the petitioner no.1 on anticipatory bail.



9. Accordingly, the prayer for grant of anticipatory
bail of petitioner no.1 stands rejected.

(Harish Kumar, J)

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