

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1854 of 2025

Arising Out of PS. Case No.-403 Year-2024 Thana- HARSIDHI District- East Champaran

Kailash Singh S/O Late Mahadeo Singh R/O- Ghoghrahan Bairiya P. S -
Harsidhi, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar , Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-02-2025 Heard learned counsel for the petitioner and
the State .

2. The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 126, 115(2), 118, 109, 351, 352 and 3(5) of the B.N.S. 2023 .

3 . As per the prosecution case , on 22.07.2024 at about 3 AM, all the accused persons named in the F.I.R., including this petitioner, were forcibly cultivating the land of the informant. After getting information , when the informant went there , he saw that co-accused Dilip Singh was armed with weapon and when the informant raised objection , all the accused persons, including these petitioners, abused the informant and on the orders of co-accused persons namely Suresh Singh and Sushil Singh, co-accused Chhotelal Singh,



with the intention to commit murder, gave *farsa* blow on head of informant as a result of which informant sustained injury on his head and fell down. It is further alleged that when father of informant came to save him, he was also assaulted by accused persons. It is further alleged that land in question belongs to informant and process under Section 144 of the Cr.P.C. is also going on .

4. Learned counsel for the petitioner submits that specific accusation of assault is against co-accused Chhotelal Singh and so far as this petitioner is concerned, there is general and omnibus allegation against him. As a matter of fact, there is admitted land dispute between the parties on account of which a simple occurrence of maarpeet took place between them. Case and counter case . Informant is not eye witness to the alleged occurrence . Petitioner is in custody since 28.10.2024 .

5 . Considering the aforesaid facts, and other circumstances of the case , prayer for bail of the petitioner is allowed.

6. Learned counsel for the State opposed the bail petition of the petitioner.

7. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand)



with two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Motihari, East Champaran
in connection with Harsidhi Police Station Case No. 403 of
2024 .

(Prabhat Kumar Singh, J)

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