

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4448 of 2025

Arising Out of PS. Case No.-439 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. Badal Singh @ Badal Kumar Son of Ramawdesh Singh Resident of Village- Choursani, P.S.- Udwant Nagar (Gajrajganj O.P.), Distt.- Bhojpur
2. Santosh Singh @ Shantosh Kumar Singh Son of Bhuneshwar Singh Resident of Village- Choursani, P.S.- Udwant Nagar (Gajrajganj O.P.), Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 10-10-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case in connection with Udwantnagar (Gajrajganj O.P.) P.S. Case No. 439 of 2023 dated 14.10.2023 registered for the offences punishable u/s 325, 323, 341, 379, 307, 504, 506 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, on 14.10.2023 at around 5:30 A.M. the informant along with his uncle Sri Niwas Singh and cousin Bir Bahadur Singh was watering agricultural land. In the meantime, the petitioners and the co-accused persons armed with lathi and pistol came and started abusing the



informant and his uncle. On being objected by the informant, all the accused persons started to assault the informant and his uncle on their head with intent to kill due to which the right palm of the informant got fractured. It is further alleged that the co-accused Sonu Kumar snatched Rs. 10,000/- from the pocket of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. There is no specific allegation against the petitioners rather the allegations against the petitioners are general and omnibus in nature. It is further submitted that the both parties are Gotiya and co-sharer and for partition of ancestral property there is a case and counter case between both the parties. It is submitted that the injuries have been sustained by both side of the party. It is further submitted that the injury nos. 1, 3 and 4 are simple in nature and the injury no. 2 is stated to be grievous in nature of the informant's uncle Sri Niwas Singh. The petitioner no.1 has three criminal antecedents and the petitioner no.2 has two criminal antecedents and in all cases they are on bail as stated in para 3 of the bail petition. The co-accused person has already been granted



regular bail by this Court vide order dated 11.09.2024 passed in Cr. Misc. No. 62077 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhojpur at Ara in connection with Udwantnagar (Gajrajganj O.P.) P.S. Case No. 439 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with a condition:-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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