

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3232 of 2025

Arising Out of PS. Case No.-51 Year-2024 Thana- Charkapathar District- Jamui

- 1. Panchanand Singh Son of Baldev Singh Resident of village- Kauniya, PS- Charkapathar, District- Jamui
- 2. Sangita Devi Wife of Panchanand Singh Resident of village- Kauniya, PS- Charkapathar, District- Jamui
- 3. Nitish Kumar Son of Ram Bilas Singh Resident of village- Kauniya, PS- Charkapathar, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate.
For the State : Mrs.Rita Verma, APP.
For the Informant : Mr. Pankaj Kumar Sinha, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 02-07-2025 Heard Mr. Niranjan Parihar, learned counsel appearing on behalf of the petitioners; Mrs. Rita Verma, learned APP for the State and Mr. Pankaj Kumar Sinha, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Charkapatthar P.S. Case No. 51 of 2024 registered for the offence punishable under Sections 126(2), 115(2), 110, 117(2), 76, 303(2), 353 and 351(2) and (3) of the BNS, 2023.

3. As per the allegation made in the F.I.R., all the accused persons including the petitioners assaulted the informant and his wife who tried to save the informant.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent. There is case and counter case between the parties. Both the parties are next door neighbour and due to enmity, the petitioners have been dragged in a false case. They have clean antecedent. The allegation levelled against the petitioners is not specific rather general and omnibus. The specific allegation of assaulting the informant and his wife is against co-accused Dinkar Singh and Bikku Singh. The injury sustained by the informant and his wife is grievous in nature, but in want of any specific allegation against the petitioners, the same cannot be attributable to them that they were the one who had assaulted the informant. On these grounds, learned counsel seeks that the petitioners be released on pre-arrest bail.

5. Mr. Pankaj Kumar Sinha, learned counsel tendered his appearance on behalf of the informant and opposed the bail application submitting that the informant and his wife sustained grievous injury and there is direct allegation in the F.I.R. that with common intention petitioners along with other co-accused assaulted the informant and his wife. The injury report also supports the allegation.

6. Learned APP for the State also supported the



argument advanced on behalf of the informant.

7. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the F.I.R. and materials collected in course of investigation, I find that so far as inflicting injury on the person of the informant and his wife is concerned, there is direct allegation against co-accused Dinkar Singh and Bikku Singh, the injury sustained on the person of the informant is grievous in nature, two in number, and there is no direct allegation against petitioner nos. 2 and 3 that they have assaulted the informant and his wife, there is case and counter case between the parties, in view of general and omnibus allegation against petitioner nos. 2 and 3, they are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-II, Jamui in connection with Charkapatthar P.S. Case No. 51 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. So far as petitioner no.1 Panchanand Singh is concerned, in view of the materials collected in course of investigation and evidence of the witnesses and statement of



independent witnesses in Para-5 and 6 of the case diary, I am not inclined to enlarge the petitioner no.1 on bail.

9. However, he may surrender before the learned District Court and seek regular bail. The learned District Court is directed to hear the bail application of the petitioner no.1 on the day it is filed.

10. The bail application stands disposed of.

(Purnendu Singh, J)

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