

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3963 of 2026

Arising Out of PS. Case No.-146 Year-2025 Thana- MALAHI District- East Champaran

JAY SINGH @ JAY KUMAR SINGH S/O LATE CHANDESHWAR SINGH
R/o vill - Bharwaliya, P.s.- Malahi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Malahi P.S. Case No. 146 of 2025, instituted for the offences punishable under Sections 109(1), 126(2), 189(2), 303(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the accused persons gathered at the door of the informant and started hurling abuses in the backdrop of a land dispute. It is further alleged that the accused persons assaulted the informant by means of stick, iron rod, axe and *tanguli* due to which he sustained



injuries on his head and nose.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case due to previous land dispute between the parties. He further contended that both the parties are close agnates. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that as per FIR, this petitioner assaulted the informant by iron rod due to which he sustained injuries on his nose and right shoulder.

6. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner of assaulting the informant with iron rod, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and



prays for regular bail, the same shall be disposed of on its own
merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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