

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22788 of 2026

Arising Out of PS. Case No.-705 Year-2023 Thana- WAJIRGANJ District- Gaya

1. Kamkhaya Narain Singh @ Kamkhaya Narayan Singh S/O Late Nageshwar Singh Resident of Village- Manjhili Karjara, P.S- Wazirganj, District- Gaya.
2. Shankar Singh S/O Kamakhya Narain Singh @ Kamakhya Narayan Singh Resident of Village- Manjhili Karjara, P.S- Wazirganj, District- Gaya.
3. Rakesh Singh @ Shiv Kumar S/O Kamakhya Narain Singh @ Kamakhya Naraigh Singh Resident of Village- Manjhili Karjara, P.S- Wazirganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary

For the Opposite Party/s : Mrs. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Wazirganj P.S. Case No. 705 of 2023 for the offence under Sections 341, 342, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant has alleged that there had been a long-standing dispute with the accused persons regarding a land and that about seven months prior to the present occurrence, the accused persons had assaulted the informant and her son, regarding which Wazirganj P.S. Case No. 1403 of 2023 had already been instituted. It is



further alleged that on 19.11.2023, petitioner no. 1 namely, Kamakhya Narayan Singh arrived at the disputed land with a tractor for ploughing the field. Upon noticing the same, the informant Malti Devi, along with her son Niraj Kumar, went there to prevent the accused persons from illegally cultivating their land. At that time, Kamakhya Narayan Singh (petitioner no. 1), armed with a gun, Shankar Singh (petitioner no. 2), armed with a pistol, and Rakesh Singh (petitioner no. 3), armed with an iron rod, allegedly assaulted the informant and her son by butt of the firearms and the rod, causing severe injuries as a result of which both of them became unconscious. The accused persons also allegedly outraged the modesty of the informant by tearing her saree and blouse and further snatched mobile phone of her son bearing IMEI Nos. 862289044678585 and 862289044678593.

4.Learned counsel for the petitioners submits that the petitioners are quite innocent and have been falsely implicated in the present case. It is further submitted that no injury corresponding to the alleged assault by the butt of a pistol or by an iron rod was found on the person of the informant. According to the petitioners, during the course of the scuffle, the informant fell on the ground and sustained injuries. Learned counsel



further submits that there is a case and counter-case between both the parties arising out of a long-standing land dispute. From perusal of the impugned order, it appears that the petitioners have complied with the provisions of Section 41(1) of the Cr.P.C., and after completion of investigation, the police have already submitted charge-sheet against the petitioners in the present case.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gayajee, in connection with Wazirganj P.S. Case No. 705 of 2023 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the condition that one of the bailors should be close relative of the petitioners.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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