

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29183 of 2026

Arising Out of PS. Case No.-138 Year-2025 Thana- ASANWA District- Siwan

1. Jayant Singh Son of Anil Singh Resident of village and post- Kashila Panchbenia, P.s.- Aswan, District- Siwan Bihar
2. Rupesh Singh son of Anil Singh Resident of village and post- Kashila Panchbenia, P.s.- Aswan, District- Siwan Bihar
3. Brajesh Singh @ Chhotak Kumar Singh son of Anil singh Resident of village and post- Kashila Panchbenia, P.s.- Aswan, District- Siwan Bihar
4. Anil Singh Son of Late Parshuram Singh Resident of village and post- Kashila Panchbenia, P.s.- Aswan, District- Siwan Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Kumar, Advocate

For the Opposite Party/s : Mrs.Asha Devi, APP

For the Informant : Mr. Pankaj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with Asaon P.S. Case No. 138 of 2025, dated 14.11.2025, instituted under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that on 14.11.2025



at about 9:00 A.M., on account of a pre-existing land dispute, the accused persons including the petitioners, variously armed with sword, pistol, *lathi*, iron rod and *farsa*, came to the disputed land and started forcibly ploughing and taking possession over the same. It is alleged that when the informant and her family members objected, petitioner no. 4, namely Anil Singh, assaulted Ramji Singh, father-in-law of the informant, with a sword causing injuries on his hand, mouth and tooth while petitioner no. 1, namely Jayant Singh, assaulted Kailash Singh, informant's brother-in-law, with an iron rod causing head injury. It is further alleged that the co-accused assaulted Azad Singh and Dhananjay Singh causing head injuries and also snatched a gold chain worth Rs. 1,35,000/- from the neck of Azad Singh. Thereafter, the injured persons were taken to the hospital by local villagers for treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that the present case is a counter blast of Asaon P.S. Case No. 137 of 2025 dated 14.11.2025 lodged by Rupesh Singh (petitioner no. 2) at 7:15 P.M., whereas the present case has been instituted on the same date at 7:25 P.M. It is further submitted that both the parties are



close agnates. Referring to the allegation against petitioner no. 4, learned counsel submits that though he is alleged to have assaulted Ramji Singh, informant's father-in-law, with a sword on the head with intention to kill the injury report completely belies the prosecution version. The injury report reveals (i) bilateral nasal bleeding, (ii) upper teeth pain with swelling of upper gum and (iii) lacerated wound measuring about 1" x 1/2" x muscle deep over left forearm above elbow. The doctor has opined the injuries to be caused by hard and blunt substance and not by any sharp-cutting weapon, which falsifies the prosecution story. So far as petitioner no. 1 is concerned, he is alleged to have assaulted the informant's brother-in-law, Kailash Singh, on the head with an iron rod causing head injury. The injury report of Kailash Singh reveals three injuries, namely, (i) lacerated wound measuring about 2" x 1/2" x 1/4" over left side forehead and the CT Scan of brain shows hemorrhagic contusion and the nature of injury has been opined to be **"may be grievous"**. It is further submitted that the said Kailash Singh assaulted petitioner no. 1, as a result of which, petitioner no. 1 sustained severe head injury and was referred to Sadar Hospital, Siwan for treatment. Learned counsel submits that the said Kailash Singh has already been granted anticipatory bail by this Court. It is further



submitted that except the specific allegations against petitioner nos. 1 and 4, only general and omnibus allegations have been levelled against petitioner nos. 2 and 3. Petitioner nos. 1, 2 and 3 have no criminal antecedent. Although petitioner no. 4 has three criminal cases pending against him, he has already been acquitted in all those cases.

5. *Per contra*, learned counsel for the informant as well as learned APP for the State have vehemently opposed the prayer for bail. It is submitted that specific overt acts have been attributed to petitioner nos. 1 and 4 and on account of their assault, the injured persons sustained injuries. It is further submitted that petitioner no. 4 has antecedents of three criminal cases.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Siwan, in Asaon P.S. Case No. 138 of 2025, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita 2023*.



7. The application stands allowed.

(Khatim Reza, J)

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