IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22700 of 2019

CNR No. BRHC010315002019

Arising Out of PS. Case No.-11 Year-2011 Thana- TEYAR District- Bhojpur

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1. KUMHA SINGH, Son of Sarla Singh, Resident of Village-Hetampur, P.S.-Tiar, District-Bhojpur.
2. Munna Singh Son of Bhuli Singh Resident of Village-Hetampur, P.S.-Tiar, District-Bhojpur.
3. Rajendra Singh Son of Yamuna Singh Resident of Village-Hetampur, P.S.-Tiar, District-Bhojpur.
4. Surendra Singh Son of Suraj Singh Resident of Village-Hetampur, P.S.-Tiar, District-Bhojpur.

... ... Petitioners

Versus

1. The State of Bihar
2. Ram Ajay Pal Singh, Son of Ram Naresh Singh, Resident of Village-Andharibag, P.S-Tiyar, District-Bhojpur.

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL JUDGMENT

Date : 27-10-2026

Heard learned counsel for the petitioners and learned counsel for the State.

2. The present petition has been filed by the petitioners for quashing the order dated 17.07.2018 passed in Session Trial No. 87/2014 arising out of Teyar P.S. Case No. 11 of 2011 by the learned Additional Sessions Judge-4th, Bhojpur at Ara.

3. Brief facts of the case is that as per FIR, while the

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informant was doing voting campaign for his wife, who was contesting as a candidate of Mukhiya election and so when he was standing near Betel shop alongwith other persons, in the meantime, Surendra Singh (petitioner), Munna Singh (petitioner), Rajendra Singh (petitioner), Gauri Shankar Singh, Umesh Singh and Kumha Singh (petitioner) came there alongwith 12-14 persons armed with iron-rod and lathi and abused him and tried to stop the voting campaign. It is further alleged that Surendra Singh assaulted by iron rod on the head of the informant, due to which he sustained head injury and Gauri Shankar Singh snatched golden chain from the neck of the informant and thereafter, other accused persons assaulted the informant by fists and slaps. It is alleged that the cause of occurrence was that the wife of informant and wife of one Manji Singh @ Dara Singh, both were the candidate and contested in the election of Mukhiya and the accused persons threatened the informant to withdraw the candiature of his wife.

4. Learned counsel appearing for the petitioners submitted that upon medical examination no grievous injury

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was found upon the informant/injured and, therefore, no case under section 307 of the I.P.C. is made out. It is also pointed out that allegation of making assault by using iron rod is specifically available against co-accused Surendra Singh, and hence rejection of discharge petition is bad in the eyes of law.

5. Upon perusal of record and considering the submission as canvassed by the parties, it transpires that learned counsel for the petitioners without disputing the occurrence, submitted that the case is groundless against the petitioners, for the reason that nature of injury was not grievous and it was specifically available against one of the co-accused persons namely, Surendra Singh and other persons namely, Munna Singh, Rajendra Singh, Gauri Shankar Singh and Umesh Singh seems to be implicated in the FIR with the aid of Section 149 of the I.P.C. is very genral and omnibus manner.

6. As per settled principles, grave suspicion is sufficient to frame the charges against the accused persons. In the present case, accused persons are named in the FIR

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and their active involvement was supported by the informant/injured causing him head injury during the occurrence by one of the co-accused. Charge-sheet was submitted against them, whereafter learned jurisdictional Magistrate took cognizance for the offences.

7. Considering all such material, there is no occasion to interfere with the impugned order 17.07.2018 passed in Session Trial No. 87/2014 arising out of Teyar P.S. Case No. 11 of 2011.

8. Accordingly, the present petition stands dismissed.

9. Let a copy of this judgment be sent to the learned trial court forthwith.

(Chandra Shekhar Jha, J.)

Rajeev/-

AFR/NAFR	**NAFR**
CAV DATE	**NA**
Uploading Date	**27.10.2026**
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