

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31626 of 2026

Arising Out of PS. Case No.-109 Year-2024 Thana- ISUAPUR District- Saran

1. Deena Nath Singh son of Late Rameshwar Singh R/o Village- Parsa P.O. -Amardh P.S. -Ishuapur District- Saran Pin No. 841221 State Bihar
2. Sanjay Singh @ Sanjay Kumar Singh Son of Late Rameshwar Singh R/o Village- Parsa P.O. -Amardh P.S. -Ishuapur District- Saran Pin No. 841221 State Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-05-2026 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 341, 324, 307, 379, 504 and 506 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that on 25.04.2024, Niraj, Sanjay and Deena Nath were filling soil on their land, on objection, Deena Nath abused, thereafter Deena Nath (petitioner no. 1) assaulted Shakti by sword causing injury, while Sanjay was firing in the air and



Niraj assaulted Rakesh by rod causing injury on head and sanjay snatched chain of the informant.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is submitted that informant is claiming the land as theirs while petitioners claim that the land belongs to them. It is also submitted that petitioners have all the documents relating to the land. It is next submitted that no doubt, it is alleged that petitioner no. 1 assaulted Shakti by sword causing injury on head, but then the injury has been caused by hard and blunt substance. It is further submitted that petitioner no. 1 is a retired Major from Indian Army and has also served President of India Award and has received Excellency Award, as would manifest from Annexure-5 to the anticipatory bail application. It is further submitted that since petitioner no. 1 had come to his village when the occurrence took place. It is further submitted that from side of the petitioners also Isuahpur P.S. Case No. 107 of 2024 has been instituted against the informant and his side and the informant and his side in Isuahpur P.S. Case No. 107 of 2024 has been granted the privilege of anticipatory bail. It is next submitted that as far as allegation against petitioner no. 2 is



concerned, the same is of firing in the air, but then no one was injured. It is also submitted that the case has not been instituted under the Arms Act, hence, the said allegation has been levelled only with an intent to give seriousness to the case.

5. Learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioners. Learned counsel appearing on behalf of the informant submits that there is a specific allegation against petitioner no. 1 of assaulting Shakti by sword causing injury. It is also submitted that the injury has been opined to be grievous, but then the learned counsel appearing on behalf of the petitioners reiterates and submits that on account of dispute relating to land, the occurrence took place in which both sides assaulted each other and FIRs came to be instituted from both sides and petitioners are not criminals, rather petitioner no. 1 is a recipient of Award from the President of India for his services rendered in the Indian Army. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

6. After hearing the learned counsel for the parties, the petitioners above-named, in the event of their arrest or surrender within a period of six weeks from today, be released



on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Isuahpur P.S. Case No. 109 of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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