

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82902 of 2025

Arising Out of PS. Case No.-93 Year-2010 Thana- SAHEBPUR KAMAL District- Begusarai

Surenbra Singh @ Surenbra Narayan Singh S/o Late Badri Narayan Singh
R/o Village- Achchhechak, Achaychak, (Achhechak), (Akchaychak), Ward
No 01, PS- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-02-2026 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 447, 341, 323, 324, 307, 379, 504 and 34 of the Indian
Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is aged
about 75 years. It is further submitted that informant alleges that
on 17.04.2010 at about 7.00 P.M., when he was near his house
along with his son and cousin when the accused persons came
and started abusing them on account of dispute relating to
passage. On objection, it is alleged that petitioner assaulted his



son by farsa causing injury on head thereafter Birendra assaulted informant's son's cousin with lathi causing injury on his right eye, while Uttam and Nalini Ranjan Singh assaulted the informant and women folk of the family by lathi, thereafter Nalini Ranjan snatched gold chain of informant's wife and the injured were taken to hospital for treatment.

4. The learned counsel for the petitioner submits that no doubt, the case is of the Year 2010, but then, from perusal of the FIR, it would manifest that date of occurrence is 17.04.2010 and the FIR came to be instituted on 10.05.2010 based on a written application of the informant i.e. the FIR was instituted after 22 days of the occurrence. It is further submitted that police submitted charge-sheet on 31.07.2010 under bailable sections, but then, the learned Trial Court differing with the police report took cognizance of the offence under Section 307 of the I.P.C. It is next submitted that thereafter summons were issued on the petitioner, but then, summons were never received, thereafter bailable warrants were issued and the same also was never received by the petitioner and without service report non-bailable warrant of arrest was issued and thereafter, the petitioner came to know when the police started knocking the door. It is submitted that Birendra Singh along with two others



had approached this Court seeking anticipatory bail by filing Cr. Misc. No.45092 of 2025 and the same came to be allowed by an order dated 11.09.2025 after considering the case on merits and in detail. It is also submitted that the case of the petitioner is on a similar footing, but then, only difference is that the injury suffered by the son of the informant on account of assault by the petitioner is opined to be grievous in nature, but then, it is submitted that since petitioner is head of the family, as such, he came to be implicated with his entire family members. It is also submitted that petitioner is now aged about 75 years and the police initially had submitted charge-sheet under bailable sections, as such, the petitioner never came to know that learned Trial Court differing with the police report has taken cognizance under Section 307 of the I.P.C. also, since summons and bailable warrants was never served on him. It is thus submitted that petitioner was not evading arrest. It is also reiterated and submitted that petitioner is aged about 75 years and has remained a person with clean antecedent and on account of trivial dispute the occurrence is alleged to have taken place and from the side of the petitioner, Sahebpur Kamal P. S. Case No.87 of 2010 was instituted against the informant and his side. It is also submitted that petitioner will not abscond rather will



cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the order dated 11.09.2025 in Cr. Misc. No.45092 of 2025 and also taking into consideration the age of the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) 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 Sahebpur Kamal P. S. Case No.93 of 2010, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds



of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned
Police Station through the learned trial Court.

(Satyavrat Verma, J)

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