

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16321 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- BELCHHI District- Patna

1. Vikash Kumar @ Karu Son of Late Umesh Prasad Village -Barah Fatehpur, P.S. -Belchi, Dist.-Patna
2. Krishna Mahto son of Singheshwar Mahto village and Po- Tmha par, Ps- Birhama, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

Mr. Ashok Kumar Kashyap, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-07-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State, Shri Chandra Bhushan Prasad, 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 115(2), 126(2), 117(2), 303(2), 109, 352, 351(2), 3(5) and 74 of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that Vikash always calls her witch, further her two sons live outside, hence taking advantage of the fact that she resides alone, Vikash on 20-8-2024 assaulted her by an iron rod causing



injury on both of her hands, thereafter brother-in-law of Vikash (Diwakar) jumped on her abdomen, when she fell and thereafter assaulted on her private parts and also assaulted her with brick and rod causing fracture of spine.

4. The learned counsel appearing on behalf of the petitioners submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that daughter of Vikash died on 20-8-2024, as such the entire family was under remorse. It is next submitted that though it is alleged that Vikash assaulted her by iron rod causing injury on both of her hands but then from perusal of the injury report, it would manifest that the same record that no visible injury was found on the body of the informant. It is also submitted that during course of the investigation, it has come that there was a land dispute in between the informant and Vikash, which led to his false implication. It is further submitted that even presuming what has been alleged is true without admitting then the allegation against Diwakar is of jumping on the abdomen of the informant and thereafter assaulted her causing fracture of spine.

5. Learned A.P.P. for the State along with learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners.



6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 Belchi P.S. Case No. 157 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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