

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18866 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- DALMIYA NAGAR SAHAYAK District-
Rohtas

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1. Prince Kumar, S/o Birendra Chaudhary Residents of village- Makaraine, PO and PS- Dalmiya Nagar, District- Rohtas
 2. Rahul Kumar, S/o Vikash Chaudhary Residents of village- Makaraine, PO and PS- Dalmiya Nagar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 23-07-2025 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(1), 191(2), 191(3), 190, 109, 76, 303(2), 352 and 351(3) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 01.01.2025 at about 4.00 P.M. while she was sitting at her door when the accused persons including the petitioners came variously armed and started abusing her and thereafter, dashed her on the ground and disrobed her, on



which she raised an alarm when her son Arvind Kumar came to save her, thereafter Prince Kumar assaulted Arvind by lathi causing injury on his head, thereafter Rahul Kumar assaulted Arvind on his right hand by lathi causing fracture of the little finger and when her husband Jagdish Chaudhary came to save them when Rahul assaulted him by lathi causing injury on head. Thereafter, the accused persons also acted inappropriately with her daughter.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioners and the informant are related and they stay in the same house, as such, there was an altercation on account of dispute which led to the occurrence. It is next submitted that fracture of little finger of Arvind Kumar has been opined to be grievous which is a non-vital part of the body.

5. Learned A.P.P. Sri Chandra Bhushan Prasad opposes the anticipatory bail application and submits that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not even remotely suggest that petitioners and the informant are related or informant and the petitioner reside in the same house, nor it has been pleaded in the



anticipatory bail application that informant and the petitioners are related and they reside in the same house. It is next submitted that case diary was called and from perusal of the injury report of Arvind Kumar, it would manifest that he suffered two injuries, one on head and other fracture of little finger and the injuries have been opined to be grievous by the doctor. It is next submitted that forehead is a vital part of the body, on which learned counsel for the petitioners submits that finger is non-vital part of the body. The learned A.P.P. fairly submits that the injury suffered by Jagdish Chaudhary is opined to be simple in nature.

6. After hearing the learned counsel for the parties, the petitioner no.2, Rahul Kumar, 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 anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dehri, Rohtas in connection with Dalmiya Nagar P. S. Case No.02 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. So far as petitioner no.1 is concerned, the Court is



not inclined to extend the privilege of anticipatory bail to the petitioner no.1.

8. The prayer of the petitioner no.1, Prince Kumar, for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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