

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40108 of 2025

Arising Out of PS. Case No.-152 Year-2024 Thana- HATHAURI District- Muzaffarpur

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1. Nityanand Singh @ Nityanand S/o- Dharmendra Singh Village- Amma PS-
Hathauri District- Muzaffarpur
 2. Priyanka Devi W/o- Nityanand Singh @ Nityanand Village- Amma PS-
Hathauri District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 16-10-2025 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Hathauri Police Station Case No. 152 of 2024,
disclosing offences punishable under Sections
126(2)/115(2)/352/351(2)/ 118(1)/117(2)/109/3(5) of the
Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report,
is that on 13.08.2024. the informant, along with his
parents and friend, had gone to the house of his cousin
brother on a bolero vehicle on the eve of the birthday of
the daughter of his cousin brother and parked the vehicle
in front of the house of the petitioner, upon which the



petitioner abused him and the petitioner Priyanka Devi caught hold the informant and the petitioner Nityanand Singh gave a knife blow in the abdomen of the informant, due to which the informant sustained injury in his abdomen.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to village politics. He further submits that there is no specific allegation of assault upon petitioner no. 1 and from the assault of petitioner no. 1, no severe injury has been caused to the informant and the injury has been managed by the informant side due to previous enmity.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that the informant has received grievous injury.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that due to the assault made by the petitioner no. 1, the informant has received grievous injury, I am not inclined to grant the petitioner no. 1 privilege of anticipatory bail.
7. This application is, accordingly, dismissed, so far as



petitioner no. 1 is concerned.

8. However, considering the fact that there is no specific allegation of assault upon the petitioner no. 2, who is a lady, I am inclined to grant the petitioner no. 2 privilege of anticipatory bail.
9. This application is, accordingly, allowed, so far as petitioner no. 2 is concerned.
10. Let the petitioner no. 2, above named, in the event of her arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Hathauri Police Station Case No. 152 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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