

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57730 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- ALAMNAGAR District- Madhepura

1. Govind Mistri @ Govind Sharma S/O Bahadur Mistri @ Bahadur Sharma R/O Village- Alamnagar, BRC Road, Nagar Panchayat, Ward No. 15, P.S.- Alamnagar District-Madhepura
2. Pawan Mistri S/O Bahadur Mistri @ Bahadur Sharma R/O Village- Alamnagar, BRC Road, Nagar Panchayat, Ward No. 15, P.S.- Alamnagar District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar

For the Opposite Party/s : Mrs. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

4 10-12-2025 Heard the learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Alamnagar P.S. Case No. 110 of 2025, F.I.R dated 05.04.2025 registered for the offences punishable under Sections 191(2), 351(2) of BNS. 329(4), 126(2), 115(2), 117(2), 118(1), 109 ,76,303(2),352, Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, a written report of informant Kajal Devi, on 02.04.2025 at about 5:45 p.m., the accused persons including the petitioners unlawfully entered her house. Co-accused Indal Mistri threw her to the ground, while petitioners Govind Mistri and Pawan Mistri pulled her sari and assaulted her with fists, kicks, and slaps. When her mother-in-



law, Manorma Devi, attempted to intervene, Indal Mistri attacked her with a *dabia*, causing a cut injury on her head, and petitioner Govind Mistri further struck her with a rod. When other family members her father-in-law Samfool Mistri, husband Munna Mistri, and brothers-in-law Nitish Kumar and Sanjeev Kumar arrived to help, they were also beaten with lathis, rods, and sticks. The report further alleges that co-accused Rina Devi, Fulan Devi, Juli Devi, and Sabua Devi entered the house and snatched a large quantity of jewellery, and additionally broke open a box belonging to the informant and took ₹80,000 in cash.

4. Learned counsel for the petitioners submits that for the incident dated 02.04.2025, there is a counter version and the informant in his family are accused in the same case wherein Alamnagar P.S. Case No. 111/2025 *vide* Annexure-P/2 registered under Sections 329(3), 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352, 351(2), 3(5) of B.N.S. 2023. It has next been submitted that there is general and omnibus allegations and three persons were already been arrested, namely, Indal Mistri, Saurav Mistri and Shrawan Mistri who were family members of this petitioner is aged about 24 years has no criminal antecedent and his future ahead, and the nature of injury is grievous does not support the allegations which levelled in the First Information



Report in the background of the fact that all of these four members while specific made at the first instance is against the Indal Mistri who was arrested and later he has been granted regular bail and similar allegations is also made against this petitioner while the injury does not corroborate the allegations of the kind, which is referred in the FIR.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that these accused persons are agnates and the other three accused persons with similar allegations have already been arrested and taken into custody and this petitioner being young boy aged about 24 years and allegations being levelled against this petitioners of being general and omnibus. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned JM 1st Class Udakishunganj, District - Madhepura in



connection with Alamnagar P.S. Case No. 110 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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