

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63849 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- BELHAR District- Banka

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1. Muniya Devi W/o Prabhash Das R/o Village / Mohalla - Tilwariya, P.O - Manjhali, Matiyani, P.S - Belhar, District - Banka, Bihar
 2. Prabhash Das S/o Eatwari Das R/o Village / Mohalla - Tilwariya, P.O - Manjhali, Matiyani, P.S - Belhar, District - Banka, Bihar
 3. Pawan Kumar @ Pawan Das @ Pawan Kumar Das S/o Prabhash Das R/o Village / Mohalla - Tilwariya, P.O - Manjhali, Matiyani, P.S - Belhar, District - Banka, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Diksha Kumari, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 08-10-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in connection with Belhar P.S. Case No. 82 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 117(2), 303(2), 74, 352, 351(2) and 3(5) of the BNS, 2023.



3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is a woman and the informant alleges that on 14.03.2025, his daughter was drawing water from government hand pump, when Prabhas and Pawan abused and assaulted his daughter, when his wife protested, accused Manisha, Rahul, Muniya, Saguniya and Lovely Devi came at his door and started abusing, further on orders of Prabhas, accused Pawan assaulted him by an iron *khanti* causing injury on head, thereafter Rajesh was assaulted by Rahul by knife causing injury near his ear and eye, thereafter, again Rahul assaulted Rajesh by knife causing injury on his stomach and hand, further Prabhas assaulted Parmeshwar by iron rod causing injury on forehead, thereafter Manisha, Muniya and Lovely assaulted him by *tengari* and *lathi* causing injury on chest and other part of the body and causing fracture of bone, further accused persons snatched chain of his wife.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant, it is next submitted that petitioner and the informant are agnates and on account of dispute relating to drawing of water from government hand pump, an altercation had taken place in which both sides assaulted each other. It is



next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault against Muniya is not specific and Prabhas has been alleged to have given orders to Pawan for assaulting the informant based on which Pawan assaulted the informant by an iron *Khanti* causing injury on head. It is next submitted that the injury suffered by the injured on account of assault made by Pawan is simple in nature.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners and submits that no doubt on a trivial issue, the occurrence took place, but then the accused persons came variously armed and Rahul is alleged to have assaulted Rajesh by knife causing injury near ear and eye and thereafter again repeated the assault by knife causing injury on abdomen and hand of Rajesh. It is further submitted that though the issue was trivial, but then stabbing by a family member of the petitioners shows their intent. It is also submitted that knife is a dangerous weapon and the presence of the accused persons at the place of occurrence emboldened Rahul to commit the occurrence of stabbing. It is next submitted that investigation is in its nascent stages.

6. Considering the submissions made by the learned



APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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