

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62451 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- NAUTAN District- West Champaran

1. Anish Kumar @ Awnish Kumar S/O Sunil Rai R/O Vill.- Dakshin Telhua, P.S.- Nautan, District- West Champaran
2. Sunita Devi W/O Sunil Rai R/O Vill.- Dakshin Telhua, P.S.- Nautan, District- West Champaran
3. Kunal Kumar S/O Ashok Rai R/O Vill.- Kotraha, P.S.- Nautan, District- West Champaran
4. Abhishek Rai @ Abhishek Kumar S/O Anand Kumar Rai R/O Vill.- Kotraha, P.S.- Nautan, District- West Champaran
5. Anand Kumar Rai @ Bablu Rai S/O Late Nawal Kishor Rai R/O Vill.- Kotraha, P.S.- Nautan, District- West Champaran
6. Pradeep Rai S/O Late Rajendra Rai R/O Vill.- Kotraha, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-12-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel

for the petitioner and Mr. Jitendra Kumar Singh, learned APP

for the State.

2. The petitioners are apprehending arrest in connection with Nautan P.S. Case No. 139 of 2025 instituted under Sections 126(2), 115(2), 118, 109, 117(2), 329(3), 352, 303(2), 3(5) of the Bhartiya Nayay Sanhita, 2023 lodged on



25.03.2025 by the informant, Gita Devi.

3. As per the prosecution story, the informant alleged that on 11.03.2025, all the petitioners came to the door and after abuse, the assault. The allegation is that upon protest by the informant's son, the petitioners, Pradeep Rai and Anand Kumar Rai tried her son out and later, both Pradeep Rai and Anand Kumar Rai attacked on the head causing injury and when the son tried to stop by hand, it also got injured. Later, the Police came and took him to the hospital. The second part of the allegation is that once again, the accused persons entered the house and petitioner no.1, Anish Kumar stabbed on her stomach by knife causing injury. Sunita Devi and Pradeep Rai again attacked by iron rod which caused injury in the left arm. Allegation of taking away certain amount is also there. This followed the FIR.

4. Learned counsel for the petitioners submit that there was marriage in the family of the petitioners. They were disturbing, scuffle took place which has been given different colour.

5. Learned APP, Mr. Jitendra Kumar Singh on the other hand opposes the prayer, has taken this Court to different reports to show that the injury inflicted by Anish Kumar, Anand



Kumar Rai and Pradeep Rai shows that it hit the different parts of the body of the informant/family members, one of the injury has been found to be grievous in nature also.

6. Considering the allegation that has come against petitioner no.1, Anish Kumar, petitioner no.5, Anand Kumar Rai and petitioner no.6, Pradeep Rai, no relief can be granted to them. Their anticipatory bail application stands rejected.

7. So far as Kunal Kumar and Abhishek Rai @ Abhishek Kumar (petitioner nos. 3 and 4) are concerned, no specific allegation has been made against them and they are only 18/21 years of age. Again, though allegation is there against Sunita Devi (petitioner no.2), considering that she is lady, an undertaking has been given that she shall be cooperating in the investigation, in that background, this Court is inclined to extend them alongwith the petitioner no.2 the privilege of anticipatory bail while the prayer for anticipatory bail of petitioner no.1, Anish Kumar, petitioner no.5, Anand Kumar Rai and petitioner no.6, Pradeep Rai stands rejected.

8. Let the petitioner no.2, Sunita Devi, petitioner no.3, Kunal Kumar and petitioner no.4, Abhishek Rai @ Abhishek Kumar in the event of their arrest or surrender before the concerned court within a period of four weeks from the receipt



of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Nautan P.S. Case No. 139 of 2025 to the satisfaction of learned SDJM, Bettiah, West Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner no.2, Sunita Devi, petitioner no.3, Kunal Kumar and petitioner no.4, Abhishek Rai @ Abhishek Kumar who shall provide official document to show his/her bona fide;

(ii) the petitioner no.2, Sunita Devi, petitioner no.3, Kunal Kumar and petitioner no.4, Abhishek Rai @ Abhishek Kumar 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 their bail bond by the Trial Court itself;

(iii) the petitioner no.2, Sunita Devi, petitioner no.3, Kunal Kumar and petitioner no.4, Abhishek Rai @ Abhishek Kumar 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 petitioners 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.

(Rajiv Roy, J)

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