

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66663 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- PIRO District- Bhojpur

1. Luvkush Prasad S/o Late Jagdeep Ram Resident of Village- Gothaula, P.S.- Ara Nagar, District- Bhojpur
2. Monu Kumar S/o Luvkush Prasad R/o Vill- Gothahula, P.S.- Ara Muffasil, Distt- Bhojpur, Bihar
3. Kiran Devi W/o Luvkush Prasad R/o Vill- Gothahula, P.S.- Ara Muffasil, Distt- Bhojpur, Bihar
4. Suman Kumari D/o Luvkush Prasad R/o Vill- Gothahula, P.S.- Ara Muffasil, Distt- Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharmesh Kumar Shrivastava, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Uday Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. At the outset, learned counsel for the petitioner submits that he shall not be pressing the bail application on behalf of petitioner no. 2, namely, Monu Kumar.

3. The bail application on behalf of the petitioner no. 2 stands dismissed as withdrawn.

4. The present application now only survives for petitioner nos. 1, 2 and 4.

5. Petitioners apprehends their arrest in connection



with Piro P.S. Case No. 162 of 2025 registered for the offences under Sections 126(2), 115(2), 1009, 303(2), 74 and 3(5) of the B.N.S., 2023.

6. As per the prosecution case, the informant has alleged that all the named persons, including the petitioners, assaulted the informant and his son with an iron rod, causing grievous injuries. It has been alleged that Monu Kumar had assaulted Arun Kumar with *lathi* and *danda* and also snatched away his gold chain. It has further been submitted that the petitioner has pressed the neck and thrown the daughter and wife of the informant on the ground.

7. Learned counsel for the petitioners submits that petitioner no. 1 is an old person, while petitioner nos. 3 and 4 are the lady members of the family. It has further been submitted that there is general and omnibus allegation against all. It has next been submitted that the specific allegation of assault is upon Monu Kumar, the bail application of whom has not been pressed. It has lastly been submitted that the petitioners carry clean antecedents.

8. Learned counsel on behalf of the informant and learned APP for the State have vehemently opposed the prayer for anticipatory bail and it has been stated that petitioners had



assaulted the family members of the informant and caused grievous injury and they should not be granted the privilege of anticipatory bail.

9. Considering the aforesaid submission, facts and circumstances of the case, let the above named petitioner nos. 1, 3 and 4 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Piro P.S. Case No. 162 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioners shall be their close relative.
- (ii) The petitioners shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the



Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

10. Accordingly, the present application stands disposed of.

(Sourendra Pandey, J)

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