

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64614 of 2025

Arising Out of PS. Case No.-363 Year-2025 Thana- DARIYAPUR District- Saran

1. Anita Devi W/o Sateyendra Ray R/o Village - Darvesha, P.S.- Dariyapur, District- Chapra (Saran)
2. Arti Devi W/o Raushan @ Raja Babu R/o Village - Darvesha, P.S.- Dariyapur, District- Chapra (Saran)
3. Raushan @ Raja Babu @ Raushan Kumar Yadav S/o Satendra Ray R/o Village - Darvesha, P.S.- Dariyapur, District- Chapra (Saran)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners are apprehending arrest in connection with Dariyapur P.S. Case No. 363 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 74, 303(2), 352, 3(5) of the B.N.S.

3. As per prosecution case, petitioners and others are said to have thrown mud on the wall of the informant. It is further alleged that when informant protested, petitioners and others, with intention to kill, concertedly assaulted upon the head of the informant by means of sword and iron rod, as a



result of which he sustained injury. It is further alleged that when wife of the informant came for rescue, petitioner no. 3 is said to have torn her blouse, thrashed her upon the ground, assaulted her and snatched away her earring.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. It is submitted that informant is the uncle of petitioner no. 3. There is no specific allegation against any of the petitioners, rather the allegations levelled are general and omnibus against all the accused persons. There is land dispute between the parties and on account of the land dispute petitioners have been falsely implicated in the present case. The injuries sustained by the injured are simple in nature. It is further submitted that the allegation against petitioner no. 3 that he torn the blouse of the informant's wife and snatched away her earring is nothing but ornamental only to make the offence graver. Petitioners bear no criminal antecedent.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, injuries



are simple in nature, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 363 of 2025, subject to the conditions as laid down under section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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