

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67408 of 2025

Arising Out of PS. Case No.-359 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

1. Somanti Devi, wife of Mahendra Pandit R/o village- Surhni, Police Station- Udwantnagar, District- Bhojpur
2. Shivam Kumar, S/o Mahendra Pandit R/o village- Surhni, Police Station- Udwantnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad

For the Opposite Party/s : Mr. Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-10-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 75, 352, 351(2) of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are mother and son. It is next submitted that the informant alleges that on 03.07.2025, the petitioners came and petitioner no.1 gave orders to petitioner no.2 to assault the wife of the informant namely, Putul. Accordingly, petitioner no.2 assaulted the pregnant wife



of the informant by fist, thereafter his wife was taken to PHC for treatment from where she was referred to Sadar Hospital Ara.

4. The learned counsel for the petitioners submits that petitioners and informant are next-door neighbours and on account of dispute relating to passage, an altercation had taken place in which both sides assaulted each other, but then, in order to give seriousness to the case, the informant in the instant FIR alleges that petitioner no.2 on orders of petitioner no.1 assaulted his pregnant wife. It is further submitted that the injury suffered by the injured is simple in nature and the date of occurrence is 03.07.2025 and the FIR has been instituted on 12.07.2025 i.e. after a delay of nine days which amply demonstrates that by way of after thought the FIR was instituted to falsely implicate petitioner no.2.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara/ Court concerned in connection with Udwantnagar P. S. Case No.359 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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