

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70853 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- RAJNAGAR District- Madhubani

1. Chandra Kant Mishra, S/O Late Kantir Mishra Resident of village- Anmada, P.S.- Rajnagar, District- Madhubani
2. Lalita Devi W/O Chandra Kant Mishra, Resident of village- Anmada, P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rajnagar P.S. Case No. 101 of 2025 dated 18.03.2025 instituted for the offence punishable under Sections 126(2), 115(2), 109(1), 76, 303(2), 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged date of occurrence, the petitioners and other accused persons were constructing house on the land of the informant. When the informant objected, the petitioners and other accused persons assaulted her. Allegation against petitioner no. 2 is that she assaulted the informant and her husband by means of lathi. It is alleged that petitioner no. 1 assaulted her husband with sickle



(*Hasua*) on his head due to which he sustained injury in his head.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that there is case and counter case between the parties. Counter case bearing Rajnagar P.S. Case No. 110 of 2025 has been lodged by petitioner no. 2 on 24.03.2025 for the offence under Section 109 of Bhartiya Nyaya Sanhita and its allied sections. Petitioner nos. 1 & 2 have also sustained grievous injury and they were treated at Sadar Hospital. Both the parties are agnates. Learned counsel for the petitioners submits that specific allegation against petitioner no. 1 is that he assaulted with sickle on the head of the informant's husband, but the injury report does not corroborate the allegation against him. The doctor opined that the injury sustained by the husband of the informant is simple in nature caused by hard and blunt substances. The injury report of the informant also shows that the injury sustained by the informant is simple in nature caused by hard and blunt substances. Lastly, it has been submitted that petitioners have one criminal case each against them which was also lodged by the informant.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the



event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Rajnagar P.S. Case No. 101 of 2025, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Madhubani subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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