

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81103 of 2025

Arising Out of PS. Case No.-182 Year-2025 Thana- BARACHATTI District- Gaya

1. Beauty Kumari @ Sapna Kumari, aged about 26 years, female, Wife of Rajendra Kumar @ Rajendra Paswan
2. Rajendra Kumar @ Rajendra Paswan, aged about 28 years, Male, Son of Surendra Paswan
Both are Resident of Village- Tetariya Khurd, P.S.- Barachatti, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-12-2025 Heard Mr. Shailesh Kumar Singh, learned counsel appearing on behalf of the petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioners seeks pre-arrest bail in connection with Barachatti P.S. Case No. 182/25 registered for the offence(s) punishable under Sections 126(2), 115, 110, 352, 351(2) and 3(5) of the BNS.

3. As per the allegation made in the FIR, the accused persons including the petitioners assaulted the wife of the petitioner by means of *lathi* and rod. Specific allegation against the petitioner no.1, Beauty Kumari @ Sapna Kumari is of assaulting the wife of the informant on her head, causing head



injury to her.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to land dispute. There is specific allegation against petitioner no.1 is of assaulting the wife of the informant on her head, however, general and omnibus allegation has been levelled against the petitioner no.2. Petitioners and informant are own family members. Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR and the fact that general and omnibus allegation has been levelled against **the petitioner no.2, the petitioner no.2, above named, is directed to be released on pre-arrest bail**, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Sherghati (Gaya) / Concerned Court in connection with Barachatii P.S. Case No. 182/25, subject to the



conditions as laid down under Section 482(2) of the BNSS.

7. The learned District Court is directed to verify the criminal antecedent of the petitioner no.2 and if it is found that the petitioner no.2 is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

8. **So far as petitioner no.1 is concerned,** considering the nature of allegation against her of assaulting the wife of the informant on her head, i.e., the vital part of the body, the petitioner no.1, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider the bail application of the petitioner on the same day and pass necessary order on the basis of material which has come in course of investigation without delay, and will also take into consideration the law laid down by the Apex Court in case of *Paramjeet Batra v. State of Uttarakhand, (2013) 11 SCC 673*. If the parties intent to compromise between each-other, then strict adherence of the law laid down by the Apex Court in case of *Naushey Ali vs. State of U.P.*, reported in, *(2025) 4 SCC 78*, is required to be taken into consideration while deciding the bail application of the petitioner no.1.



9. The present petition stands disposed of.

(Purnendu Singh, J)

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