

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2492 of 2026

Arising Out of PS. Case No.-497 Year-2025 Thana- BIDUPUR District- Vaishali

1. Sabita Devi W/O Sanjay Singh @ Sanjay Kumar Singh Resident of Village-Daudnagar Madaripur, P.S- Bidupur, Distt.- Vaishali.
2. Sahil Kumar S/O Sanjay Singh @ Sanjay Kumar Singh Resident of Village-Daudnagar Madaripur, P.S- Bidupur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Adv. Mr. Rajeev Ranjan No. II, Adv.
For the Opposite Party/s	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Manish Chandra Gandhi, Adv. Mr. Himanshu Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioner apprehends their arrest in connection with Bidupur P.S. Case No.497 of 2025 registered for the offence under Sections 126(2), 115(2), 117(2), 109, 329(3), 303(2), 351(2), 351(3), 352, 3(5) of BNS.

3. The prosecution case, in short, is that the informant Mithlesh Kumar submitted his application to the S.H.O of Bidupur P.S on 13.07.25 alleging interalia that on 11.07.25 at about 9:00 AM, all the named accused persons came assaulted him with lathi, danda upon his head when he was ploughing



banana plant in his share of land. It is further alleged that when his mother and brother came to save him, the accused persons also assaulted them. They also assaulted his wife and thereafter Savita Devi snatched the gold Jitya from his wife and threatened him. It is further alleged that he and his mother brought to Hospital from where they have been referred to Sadar Hospital, Hajipur.

4. Learned counsel for the petitioner submits that petitioners are innocent and have committed no offence and they have falsely been implicated in this case. Learned counsel for the petitioners further submits that there is no specific allegation of assault against the petitioners and the petitioners are having no criminal antecedent. Learned counsel for the petitioners next submits that there is a case of case and counter case between the parties. It is next submitted that petitioner no.1 is a lady and petitioner no.2 is a student of Intermediate College, Bidupur.

5. The learned APP opposes the anticipatory bail application.

6. On perusal of the FIR, it appears that there is no specific allegation of assault against the petitioners. The petitioners are also stated to be having no criminal antecedent. From the averments made in paragraph-7, it appears that this is



a case of case and counter case between the parties. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

7. Accordingly, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with Bidupur P.S. Case No.497 of 2025 subject to the conditions laid down under Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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