

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6739 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- RAHUI District- Nalanda

1. Pawan Kumar S/o Rabindra Prasad @ Rabindra Ram R/o - Mayee, P.S - Rahui, District - Nalanda
2. Rahul Kumar S/o Rabindra Prasad @ Rabindra Ram R/o - Mayee, P.S - Rahui, District - Nalanda
3. Dilip Kumar S/o Rabindra Prasad @ Rabindra Ram R/o - Mayee, P.S - Rahui, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 04-02-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rahui P.S. Case No.116 of 2025, F.I.R dated 24.02.2025 registered for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 125(a), 125(b), 303(2), 109 and 74 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, as per the FIR is that the informant, Sagina Devi, alleged that on 20.02.2025 at about 8:30 PM, her mother-in-law Dharmshala Devi and devars Pawan Kumar and Dilip Kumar entered her room and assaulted her with bricks and a hammer, causing injuries to her knee and



waist, and also snatched her golden chain, earrings, and Rs.5,000 in cash. On her alarm, her husband arrived to rescue her, whereupon the accused persons assaulted him with an iron rod, causing injuries to his head, hands, legs, and feet. The occurrence is stated to have arisen out of a dispute relating to partition of property. On hearing the alarm, local persons assembled and the injured were taken to Rahui Hospital, from where they were referred to Pawapuri Hospital, and thereafter treated at Shivam Emergency, Devi Sarai, Bihar Sharif. The delay in lodging the FIR is explained due to ongoing medical treatment.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case and the petitioners are brothers-in-law of the informant. The F.I.R. is said to have been lodged against six named persons, including these petitioners but there is no specific allegation against these petitioners rather the allegations are general and omnibus in nature. It has further been submitted that the present case has been lodged due to a land dispute regarding partition of property and these petitioners are man of means and are ready to abide by the terms and conditions imposed in case of privilege of anticipatory bail is extended to



them.

5. Learned APP for the State opposes the prayer for anticipatory bail application and submits that all the accused persons are said to have assaulted the informant due to which the injuries are said to have been sustained by him.

6. Considering the aforesaid facts and circumstances the petitioners are innocent and have falsely been implicated in the present case and there is nothing specific alleged against these petitioners rather the allegations are general and omnibus in nature. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 3rd Nalanda at Biharshariff, in connection with Rahui P.S. Case No.116 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family



member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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