

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10374 of 2026

Arising Out of PS. Case No.-207 Year-2024 Thana- LAUKAHA District- Madhubani

1. Ram Sagar Kunwar S/O Chulhai Kunwar R/O Village- Madhopur, P.S -
Laukaha, District - Madhubani.
2. Ashok Kunwar S/O Ramesh Kunwar R/O Village- Madhopur, P.S -
Laukaha, District - Madhubani.
3. Ramesh Kunwar S/O Late Jageshwar Kunwar R/O Village- Madhopur, P.S -
Laukaha, District - Madhubani.
4. Indrajit Sharma S/O Late Vijay Sharma R/O Village- Madhopur, P.S -
Laukaha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Yadav, Adv. Mr. Yogesh Kumar, Adv.
For the Opposite Party/s :		Mr. Anil Kumar Singh No. 1, APP
For the Informant	:	Mr. Shivnandan Bharti, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-02-2026 Heard the learned Advocate for the petitioners,

learned Advocate for the informant and the learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Laukaha P.S. Case No. 207 of 2024, registered
for the offences punishable under Sections 126(2), 115(2),
118(1), 117(2), 109, 303(2), 352, 351(2) and 3(5) of the B.N.S.,
2023.

3. This is the second attempt made on behalf of the
petitioners for grant of their pre-arrest bail, as earlier their



prayer has been negated by this Court vide order dated 24.12.2025 in Cr. Misc. No. 84362 of 2025, after taking into consideration the nature of accusation and the fact that the process under Section 84 of the BNSS has already been issued.

4. Mr. Suraj Narain Yadav, learned Advocate for the petitioners submitted that since the prayer for bail of the petitioners was turned down, taking note of the fact that process under Section 84 of the BNSS has been issued, hence the prayer for re-consideration has been made in the light of the pronouncement of a co-ordinate Bench of this Court in the case of ***Mangali Devi @ Mangari Devi & Ors. Vs. The State of Bihar, (2025) 4 PLJR 207*** wherein the Court after taking note of the various rulings of the Apex Court has concluded that anticipatory bail petition of an accused facing accusation is maintainable, even if proceeding under Sections 84 and 85 have been initiated against him. However, grant or rejection of anticipatory bail would depend upon facts and circumstances of the case.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Having heard the learned Advocate for the petitioner and taking note of the order, whereby the prayer for



anticipatory bail of the petitioners stood rejected, this Court finds that before negating the prayer for bail, the Court has taken various aspect of the matter and the materials available on record. Hence this Court does not find any reason or occasion to re-consider the prayer for bail of the petitioners. Besides the aforesaid facts, this Court also finds that there is no subsequent change in the circumstances which warrants any re-consideration.

7. Accordingly, the present application stands rejected.

(Harish Kumar, J)

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