

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6975 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- MORKAHI District- Khagaria

1. Chandani Devi, W/O Sanjay Yadav Resident of Village- Amni, Ward No 07, P.S.- Mansi, District- Khagaria.
2. Sanjay Yadav, S/O Raghunandan Yadav Resident of Village- Amni, Ward No 07, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Morkahi P.S. Case No.173 of 2025 registered for the offences under Sections 126(2), 115(2), 117(2), 109(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioners is that they all, variously armed, had assaulted the informant.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. It has further been submitted that petitioner no.1 is a lady and she has been dragged only because the entire family has been implicated



in the present case. It has next been submitted that the petitioner no.2 happens to be the father of the three accused against whom specific allegations of assault have been levelled. It has next been submitted that at best the petitioner no.2 could be said to be the order giver, however, the injuries sustained by the informant do not corroborate the allegations levelled in the FIR. It has lastly been submitted that the petitioner no.1 has clean antecedent while petitioner no.2 has one criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Morkahi P.S. Case No.173 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall



be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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