

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10131 of 2026

Arising Out of PS. Case No.-639 Year-2025 Thana- BIHTA District- Patna

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1. Sunaina Devi W/o- Satish Rai Resident of Village-Hiramanpur Painal PS- Bihta, Dist- Patna
 2. Indra Dev Rai @ Indra Dev Prasad S/o- Nathun Rai Resident of Village-Hiramanpur Painal PS- Bihta, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in connection with Bihta P.S. Case No. 639 of 2025 instituted for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The allegation against the petitioners is that they were among the other co-accused persons, who had assaulted the informant and one another. It has been alleged in the FIR that the petitioner no. 1 had snatched away gold chain while petitioner no. 2 along with five others had assaulted the



informant.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated with general and omnibus allegation. Allegation against the petitioner no. 1 is superimposition only to implicate the petitioner in a heinous crime. It has further been submitted that in fact the petitioner no. 1, Sunaina Devi, herself, had sustained injury and the report has been brought on record by way of Annexure- P4. It has further been submitted that prior to the present incident, for another occurrence committed by the informant side, Reena Devi wife of co-accused Sonu Kumar had given a written information to the Bihta police station, which has been brought on record by way of Annexure-P3 while for the current incident there was a counter case filed by the petitioner no. 1.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate-II, Danapur, Patna in connection with Bihta P.S. Case No. 639 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioners and the other shall be a local resident:

(ii) the petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

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

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

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

(Sourendra Pandey, J)

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