

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12587 of 2026

Arising Out of PS. Case No.-112 Year-2024 Thana- CHANDAN District- Banka

1. Satyanarayan Jha Son of Late Kartik Jha R/o Village - Lathane, Police Station - Chandan, Distirct -Banka.
2. Ajhola Devi W/o Satyanaryan Jha R/o Village - Lathane, Police Station - Chandan, Distirct -Banka.
3. Gyanand Jha @ Gayanand Jha Son of Satynaryan Jha R/o Village - Lathane, Police Station - Chandan, Distirct -Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 118(1), 109, 103(1) and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent petitioner no. 2 is a woman and is a senior citizen aged about 60 years and the informant alleges that accused persons including the petitioners on 11.08.2024 at 12:30 PM came and started abusing and throwing bricks, on objection the accused persons assaulted his



brother and Prayag assaulted his brother by bamboo indiscriminately causing injury on head and thereafter fled.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of abuse and assault is general and omnibus in nature. It is next submitted that specific allegation of assaulting the brother of the informant by bamboo indiscriminately is against Prayag. It is further submitted that no doubt brother of the informant subsequently died, but then the entire family members came to be implicated. It is further submitted that petitioner no. 1 is aged about 80 years and petitioner no. 2, as recorded hereinabove, is 60 years of age while petitioner no. 3 is a young boy of aged about 21 years. It is next submitted that a person, who has remained a person with clean antecedent all throughout his life till 80 years and 60 years, have been implicated in the instant case with general and omnibus allegation of abuse and assault. It is further submitted that petitioners, being parents and brother of Prayag, came to be implicated with a view to coerce Prayag into submission. It is next submitted that during the course of investigation, no



witnesses came forward stating that petitioners had also assaulted the deceased.

5. At this stage, the learned APP for the State submits that though allegation against the petitioners in the FIR with regard to abuse and assault is general and omnibus in nature, but then the informant alleges that petitioners were also present at the place of occurrence though specifically Prayag is alleged to have assaulted the injured leading to his death. It is also submitted that process under Sections 84 and 85 of BNSS (corresponding Sections 82 and 83 Cr.P.C.) has been issued against the petitioners, on which the learned counsel appearing on behalf of the petitioners submits that police in mechanical manner investigates and implicates. It is also submitted that a person who is nearing his grave has also been made an accused.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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