

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15640 of 2026

Arising Out of PS. Case No.-52 Year-2024 Thana- RASULPUR District- Saran

1. Babal Devi Wife of Munna Ram Resident of village- Tesuar, Ps- Rasulpur, Dist- Saran at Chapra
2. Banti Kumar @ Amit Kumar @ Ankit Kumar son of Munna Ram Resident of village- Tesuar, Ps- Rasulpur, Dist- Saran at Chapra
3. Manish Kumar Son of Late Harindra Ram Resident of village- Tesuar, Ps- Rasulpur, Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vijay Kumar, Advocate
For the State	:	Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-07-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on 25.03.2024, these three accused-petitioners assaulted husband of informant with *lathi*, *danda* and iron rod due to which he died during course of treatment.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. Both parties are co-villagers and petitioners have falsely been implicated in this case due to old enmity. The present F.I.R. has been lodged after inordinate delay of three days and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. As per F.I.R., these three petitioners assaulted husband of informant with *lathi*, *danda* and iron rod, however, as per *post mortem* report, no external injury was found on the person of the deceased which itself falsifies the entire prosecution case. Moreover, allegation of assault is general and omnibus. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, delay in lodging of the F.I.R., fact that in the *post mortem* doctor has found no external injury on the person of the deceased and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 4th, Saran at Chapra in connection with Rasoolpur P.S. Case No. 52 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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