

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19080 of 2026

Arising Out of PS. Case No.-388 Year-2021 Thana- CHAKIA District- East Champaran

1. Ram Swaroop @ Ram Swaroop Rai Son of Badari Rai @ Gudari Rai @ Badri Rai Resident of Village - Ghanshi Pakad, P.S. - Chakia, District - East Champaran
2. Shiv Kumari Devi Wife of Ashok Kumar @ Ashok Rai Resident of Village - Ghanshi Pakad, P.S. - Chakia, District - East Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioners and learned

APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Chakia P.S. Case No. 388 of 2021 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 34 of the Indian Penal Code.

3. The allegation against the petitioners is to assault the informant and others by using iron rod causing head and bodily injuries, where occurrence was alleged to be arisen out of land related issues.

4. Learned counsel appearing on behalf of the



petitioners submitted that petitioner no. 1 is the father of the informant aged about 87 years, whereas petitioner no. 2 is the sister-in-law (Bhabhi) of the informant. It is submitted that allegation of assault is not available against petitioner no. 1, whereas petitioner no. 2 alleged to assault the informant during the course of occurrence causing leg injury, which is non-vital part of the body, negating the intention to cause death, as alleged. Both petitioners claimed clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. In view of the aforesaid factual submissions and by taking note of the fact as allegation of physical assault *prima-facie* not appears available against petitioner no. 1, who is the father of informant and the injuries, as inflicted by petitioner no. 2 upon the informant, found on non-vital part of the body, which upon medical examination found simple in nature, coupled with the fact that petitioner no.2 is a lady, accordingly, above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this



order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari/concerned court in connection with Chakia P.S. Case No. 388 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

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