

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19585 of 2026

Arising Out of PS. Case No.-616 Year-2025 Thana- BYPASS District- Patna

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1. Shemeru Roy @ Sumardeo Singh S/O Dhardas Roy @ Shyamsunar Singh
R/O Mohalla- Marchi, P.S.- Bypass, District- Patna
 2. Ajay Roy @ Ajay Kumar S/O Sumardeo Singh @ Shemeru Roy R/O
Mohalla- Marchi, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 06-04-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 115(2), 126(1), 117(2), 74, 324(4), 324(5), 352, 351(2), 351(3), 3(5) of the B.N.S.

3. Petitioners along with other accused persons are said to have assaulted and abused the informant and broke her leg.

4. Learned counsel for the petitioners submits that it would be apparent from the First Information Report itself that a dispute took place with regard to construction of road being made on the land of the informant by the petitioners along with



4-5 other unknown persons. It further appears that upon protest being raised, the petitioners and others indulged in hurling abuses and assault causing injury in her leg. It is further submitted that the First Information Report itself has been lodged after a delay of six days for which no explanation has been tendered by the informant. It is further submitted that although the only non-bailable offence is section 74 of the BNS but it has nowhere been alleged that the said assault upon the informant was made with an intent to outrage her modesty. So far as the grievous injury is concerned, the injury report of Annexure-p/2 Mahivir Arogya Sansthan clearly indicates that the injury found was a hairline fracture on account of falling from stairs. Further, the petitioners have no criminal antecedent.

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

6. Taking into consideration the facts and circumstances and also considering the factum of delay in lodging of the FIR coupled with the fact that there is no instance of outraging the modesty of the informant/victim, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-



(Rupees 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 Bypass P.S. Case No. 616 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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