

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22360 of 2026

Arising Out of PS. Case No.-352 Year-2025 Thana- IMAMGANJ District- Gaya

1. Sunita Devi @ Sunita Kumari W/o Surendra Das R/o Vill- Bela, PO- Parsawan, PS- Imamganj, Dist- Gayaji
2. Uttam Kumar S/o Surendra Das R/o Vill- Bela, PO- Parsawan, PS- Imamganj, Dist- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 06-05-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Imanganj P.S. Case No.352 of 2025, F.I.R dated 24.12.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 74, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, in brief, is that the informant, Rina Devi, alleged that co-accused Surendra Das had been abusing her for the last three days and, on 23.12.2025 at about 5:00 P.M., while under the influence of liquor, again abused and assaulted her when she protested. Upon hearing the



commotion, the other accused persons, including the petitioners, allegedly arrived armed with Tangi, sword, iron rod and lathi and assaulted the informant and her family members, causing injuries to several persons including the informant, Uttam Kumar, Shivani Kumari, Soni Kumar, Pramod Das and Nandu Das. It is alleged that the accused persons used various weapons during the occurrence, resulting in injuries to the victims.

4. Learned counsel for the petitioners by referring to F.I.R., submits that specific allegation of assault and overt act against co-accused persons, which resulted in grievous injury, has already been surrendered before the learned Court concerned and the allegations against the present petitioners are general and omnibus in nature and the petitioners have clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that no specific allegation of assault act or over act rather the allegations are general and omnibus in nature and the co-accused persons who assaulted the informant and his family members in already in judicial custody and the petitioners have clean antecedent. Accordingly, this Court is inclined to grant the



privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Shergati, Gayaji, in connection with Imanganj P.S. Case No.352 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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