

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25881 of 2026

Arising Out of PS. Case No.-434 Year-2025 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Kanti Devi W/o Vijay Yadav R/o Village - Laxmipur, P.S - Mufassil, District - East Champaran Motihari
 2. Wakil Rai S/o Gugul Rai R/o Village - Laxmipur, P.S - Mufassil, District - East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 24-04-2026 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 126(2), 115(2), 109(1), 76, 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. The allegation in the First Information Report is that the petitioners along with other co-accused persons have assaulted the informant and his family members.

4. Learned counsel for the petitioners submits that the petitioners, who are a lady and a 80 year old man, have not been named in the First Information Report and their name has transpired during the course of investigation merely on



suspicion. It has been submitted that the FIR was lodged after a delay of two days and yet these petitioners were not named in the same. The allegations made in the FIR are general and omnibus in nature and the specific allegations have also been made upon other accused persons. The injuries suffered by one of the injured Pramod yadav is said to be grievous in nature, however, the petitioners are not the author of the said injury. It has further been submitted that co-accused, namely, Vijay Yadav has already been granted the privilege of bail by a Co-ordinate Bench of this Court vide order dated 03.12.2025 passed in Cr. Misc. No. 82377 of 2025.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that the petitioners are not named in the First Information Report and one of the co-accused has been granted the privilege of bail by a Co-ordinate Bench of this Court, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



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 Muffasil P.S. Case No. 434 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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