

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27146 of 2026

Arising Out of PS. Case No.-68 Year-2026 Thana- KAKO District- Jehanabad

1. Raushan Kumar S/o Shiv Pujan Sharma, Resident of Village- Bhelawar, PS-Kako, Bhelawar, District- Jehanabad.
2. Nitu Kumari W/o Raushan Kumar, Resident of Village- Bhelawar, PS-Kako, Bhelawar, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhumay Madhup, Advocate

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-04-2026 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor

appearing on behalf of the State.

2. The accused/petitioners named in FIR and apprehending their arrest in connection with Kako (Bhelawar) P.S. Case No. 68 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 109(1), 74, 303(2), 352, 351(2), 351(3), 3(5) of Bhartiya Nayay Sanhita 2023.

3. The allegation against the petitioners is to assault informant and his family members by means of using *iron rod, lathi* etc. When the father, brother and mother of



the informant noticing the crying of the informant came to rescue her, they were also assaulted by accused persons.

4. It is submitted by learned counsel appearing on behalf of the petitioners that parties are in inimical terms and for that reasons, the present false case was lodged. It is submitted that subsequent to this case the petitioners's side also lodged a case, which was registered against the informant and others as Kako Bhelawar P.S. Case No. 72 of 2026. It is pointed out that admittedly the petitioners were not equipped with any weapon and, therefore, the question does not arise to assault the father, brother and mother of the informant. In fact, as per statement of the father of informant, co-accused Ankit and Sankit were equipped with *iron rod* and, therefore, it was their assault which might cause shoulder injuries to the father of the informant. Allegation of snatching golden chain and also to hold hand of the informant by these petitioners is also unbelievable. It is submitted that petitioner no. 2 implicated being wife of petitioner no. 1. Both petitioners claimed clean antecedent.

5. Learned APP opposed the prayer of bail.



6. In view of aforesaid factual submissions and by taking note of fact as the parties are in inimical terms, where admittedly petitioner no. 1 not alleged equipped with any weapon during the occurrence, where petitioner no. 2, *prima facie* appears implicated being wife of petitioner no. 1 with present crime in question, accordingly, both above named petitioners, who are of clean antecedent in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail 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 S.D.J.M., Jehanabad/concerned Court, where the case is pending in connection with Kako (Bhelawar) P.S. Case No. 68 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

