

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27001 of 2026

Arising Out of PS. Case No.-862 Year-2025 Thana- SONEPUR District- Saran

1. Madhu Devi @ Madhu Kumari D/o Santosh Sah Resident of - Jaitiya, P.S - Sonpur, Chhapra District - Saran
2. Komal Kumari D/o Santosh Sah Resident of - Jaitiya, P.S - Sonpur, Chhapra District - Saran
3. Karan Kumar S/o Kali Sah Resident of - Jaitiya, P.S - Sonpur, Chhapra District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bhawana Jha, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Sonpur P.S. Case No. 862 of 2025, dated 29.08.2025, lodged under Sections 126, 115(2), 118(1), 74, 303(2), 352, 351(2), 109, 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, an FIR has been lodged against seven named accused persons, including the present petitioners, alleging that, with a view to take water from the hand pump, a dispute arose between adjacent neighbours, which



resulted in a scuffle, and there is also an allegation of stone pelting, due to which the informant became unconscious. Further, there are allegations of snatching of a locket and money, as well as threats of rape and kidnapping.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that, from the contents of the FIR, it becomes crystal clear that both parties are residents of the same village and are adjacent neighbours. The dispute has arisen only due to a petty matter, i.e., taking water from the hand pump. Counsel further submits that, for the same date and place of occurrence, a case and counter-case have been lodged from both sides. The petitioners' side has lodged Sonpur P.S. Case No. 861 of 2025, whereas the informant's side has lodged Sonpur P.S. Case No. 862 of 2025. Counsel further submits that the criminal antecedents of the petitioners are clean, and out of the three petitioners, petitioner Nos. 1 and 2 are female, and petitioner No. 3 is a student who has unnecessarily been made an accused in this case. Counsel further submits that all the injuries were simple in nature and the dispute actually took place between the children of the families, and subsequently the elders have been unnecessarily involved.



5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that there is a case and counter case between the parties.

6. In the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Saran at Chapra, in connection with Sonpur P.S. Case No. 862 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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