

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26661 of 2026

Arising Out of PS. Case No.-319 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Priya Kumari D/o Hirdyanand Chauhan Resident of Village- Pakadee, PS-
Kuchaikote, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Adv

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kuchaikot P.S. Case No. 319 of 2024, F.I.R dated 23.7.2024 registered for the offences punishable under Sections 126(2), 115(2), 110, 3(5) of BNS.

3. According to prosecution case, on 19.07.2024, the informant's son Sonu Kumar was surrounded by the accused persons near the house of Hirdayanand Chauhan pursuant to a conspiracy. On receiving information, the informant reached the place of occurrence and saw Priya Kumari, Sanjana Kumari and Suganti Devi pulling the dupatta wrapped around her husband's neck, while Anita Devi assaulted him on the head, causing serious injuries. He was taken to the hospital, where he was



declared dead.

4. Learned counsel for the petitioner submits that petitioner is innocent, has committed no offence and he has falsely been implicated in this case. Counsel for the petitioner submits that specific allegation of overt act is against Anita Devi, who has already been granted regular bail by the learned Trial Court. It has further been submitted that the present case is a counter blast to the earlier case instituted by the petitioner against the informant's son. Lastly, it has been submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application but has not controverted the complicity of this petitioner in the instant case.

6. Considering the aforesaid facts and circumstances that the petitioner is innocent, has committed no offence and he has falsely been implicated in the present case and the allegation of overt act is against Anita Devi, who has already been granted regular bail by the learned Trial Court and the present case is a counter blast to the earlier case instituted by the petitioner against the informant's son and the petitioner has no criminal antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.



7. Let the petitioner, above named, in the event of his/her 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 A.C.J.M.-I, Gopalganj, in connection with Kuchaikot P.S. Case No. 319 of 2024, 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)

Abhishek/-
Sanjay/-

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