

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28044 of 2026

Arising Out of PS. Case No.-1070 Year-2023 Thana- BARACHATTI District- Gaya

1. Devraj Prasad S/O Balmukund Prasad Resident of Village- Gambhira, P.S.- Mohanpur, District- Gayaji.
2. Jitendra Kumar S/O Balmukund Prasad Resident of Village- Gambhira, P.S.- Mohanpur, District- Gayaji.
3. Sunita Devi wife of Devraj Prasad Resident of Village- Gambhira, P.S.- Mohanpur, District- Gayaji.
4. Nitu Kumari @ Nitu Devi wife of Jitendra Kumar Resident of Village- Gambhira, P.S.- Mohanpur, District- Gayaji.

... .. Petitioners

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Barachatti P.S. Case No. 1070 of 2023 registered for the offences punishable under Sections 341, 323, 308, 504, 506, 34 of the Indian Penal Code.

3. The allegation against the petitioners is to assault the informant and others by using Lathi, rod etc. during the occurrence on the head and body, which may likely to cause their death. The occurrence alleged to be taken place due to land



dispute.

4. Learned counsel appearing on behalf of the petitioners submitted that allegation of assault is appearing very much general and omnibus against petitioner nos. 3 & 4 who are none but the wife of petitioner nos. 1 & 2 respectively.

5. It is submitted that they have been implicated only being the female members of the family with harassing attitude. It is pointed out that only one injury was found on the non-vital part on the body of Sarita Kumari, whereas abrasion was on upper back region which was due to fall on the ground. It is submitted that the injury of Santosh Kumar was found simple in nature. It is further submitted that merely for the reason that injury was found upon vital part i.e. head, the anticipatory bail of the petitioners was rejected. Petitioners claimed clean antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. In view of the aforesaid factual submissions and by taking note of overall nature of injury, all the four above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only)



each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Sherghati, District – Gaya Ji/concerned court in connection with Barachatti P.S. Case No. 1070 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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