

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35403 of 2026

Arising Out of PS. Case No.-353 Year-2025 Thana- HATHUA District- Gopalganj

1. Suresh Yadav son of Rajeshwar Yadav R/o - Sahpur Mishrauli, P.S - Nautan Dist- Siwan
2. Champa Devi wife of Suresh yadav R/o - Sahpur Mishrauli, P.S - Nautan Dist- Siwan
3. Sunil Yadav @ Sunil Kumar Yadav son of Suresh Yadav R/o - Sahpur Mishrauli, P.S - Nautan Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Singh, Adv
For the informant	:	Mr. Sumit Shekhar Pandey, Adv
		Mr. Tarique Hussain, Adv
For the Opposite Party/s :		Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 21-07-2026 Heard the learned counsel for the petitioners, the learned counsel appearing on behalf of the informant and the learned APP for the State.

2. The petitioners apprehends their arrest in connection with Hathua P.S. Case no. 353 of 2025, registered under Sections 126(2), 115(2), 118, 109, 303(2), 352, 351(3) and 3(5) of the B.N.S.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that the husband of the informant had already died and her elder son resides in Siwan in connection



with job. The wife of her elder son used to quarrel with her and also used to assault and use filthy language against the informant and her son. It has been further alleged that she always used to put pressure upon the informant to execute sale deed in her favour and to give her the pension amount also. On the date of occurrence i.e. 09.12.2025 while the informant was at her house, her daughter-in-law along with the petitioners herein, came and started putting pressure upon the informant to execute sale deed for the land. When the informant objected to the same, all the petitioners herein caught hold of her and the daughter-in-law of the informant, who is also a co-accused assaulted on her head with a brick, due to which she sustained injuries. It has further been alleged that thereafter the petitioner no. 3 told the informant that till the time she will not execute sale deed in favour of her daughter-in-law they will keep on assaulting her and will kill her and they will falsely implicate her in a dowry case. It has further been alleged that the petitioner no. 2 took away the earring from the ear of the informant and the petitioner no. 1 snatched a golden chain to the tune of Rs. 70,000/- from the neck of the informant.

4. The learned counsel appearing for the petitioners submits that the petitioners are innocent and no such occurrence



has taken place. He further submits that the occurrence took place on 09.12.2025 and the FIR has been lodged on 11.12.2025, however no explanation whatsoever has been given for the delay in lodging the FIR. Further the allegation of assault on the head of the informant has been leveled against co-accused, namely Kumari Ranju Yadav and no allegation of assault has been leveled against the petitioners herein. Further co-accused Kumari Ranju Yadav is already in custody and was granted bail vide Criminal Miscellaneous No. 34528 of 2026 and she has also filed a Complaint Case bearing Complaint Case No. 1960 of 2025 against the informant and her son. He submits that even assuming the allegations to be true, no allegation of any assault has been leveled against the petitioners.

5. *Per contra*, the leaned counsel appearing on behalf of the informant submits that the petitioners in collusion with co-accused Kumari Ranju Yadav assaulted the informant on her head, due to which she sustained grievous injuries. He further submits that all the co-accused persons with a common intention have assaulted the informant and therefore they does not deserve the privilege of anticipatory bail.

6. The learned APP for the State also opposes the prayer for anticipatory bail of the petitioners.



7. Considering the rival submissions and after going through the record, it appears that the specific allegation of assault has been leveled against the co-accused Kumari Ranju Yadav. The allegation against petitioners are that they caught hold of the informant and then Kumari Ranju Yadav assaulted the informant on her head with a brick, due to which she sustained injury. Further the allegation against the petitioners are that they snatched Jhumka and gold chain from the neck and ear of the informant. From perusal of the injury report, which has been annexed with the case diary it would transpire that doctor has found the injury on the head of the informant to be grievous in nature, however the same has been attributed to Kumari Ranju Yadav. Considering the above, let the above named petitioners, in the event of their arrest or surrender before the learned Court below within a period of six weeks, be released on anticipatory bail in connection with Hathua P.S. Case no. 353 of 2025, on each of them 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 Chief Judicial Magistrate, Gopalganj, subject to the condition laid down under Section 482(2) of the B.N.S.S, 2023, and subject to the following condition:-



(I) That the learned court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court concerned shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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