

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35034 of 2026

Arising Out of PS. Case No.-101 Year-2026 Thana- SAKRA District- Muzaffarpur

Raju Sah S/o Sri Bindeshwar Sah Resident of Village - Bishanpur
Baghnagari, PS. - Sakra, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mr. Purushottam Kumar, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2026 Heard Mr. Ajay Kumar Thakur, learned counsel for
the petitioner and learned APP representing the State through
virtual mode.

2. The petitioner is apprehending his arrest in
connection with Sakra P.S. Case No. 101 of 2026 registered for
the offence punishable under Sections 126(2), 115(2), 109(1),
303(2), 324(4) and 3(5) of the Bharatiya Nyaya Sanhita, lodged
on 20.02.2026 by the informant Babita Kumari.

3. As per the prosecution story, the informant alleged
that while she was returning alongwith her husband after
attending the birthday party, on the issue of taking side/over



taking on the road, the dispute arose with the other car owners and this led to them coming out and assaulting her husband. The allegation is that the sons of the petitioner Samrat Kumar and Sagar Kumar assaulted her husband Bablu Mishra by iron rod while this petitioner assaulted with a wine bottle on the head causing injuries. The other accused persons with some unknown assaulted her husband till he was unconscious. They also damaged the Ecosport vehicle of the informant, the DIAL 112 was called which followed the F.I.R. and shifting the husband of informant to the hospital.

4. Learned counsel for the petitioner submits that there is a counter version also in which assault theory has been assigned to the informant/husband of the informant. Further, during the investigation the said allegation have not been fully corroborated.

5. Learned APP on the other hand opposes the prayer submitting that a perusal of the learned Sessions Judge order would show that the injury of the husband found to be grievous in nature.

6. Taking into account the submissions of the parties as also the kind of allegation that has come against the petitioner of giving wine bottle blow on the head and the injury



has been found to be grievous in nature, in that background, no relief can be granted to the petitioner.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

vinayak/-

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

