

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39328 of 2026

Arising Out of PS. Case No.-87 Year-2026 Thana- KHAGAUL District- Patna

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1. Sunita Devi W/o Munna Ray Resident of - Anandpur , P.S - Bihta, District - Patna Permanent resident of Bari Khagaul Nav Ratanpur, P.S - Khagaul, District - Patna
 2. Ramesh Kumar S/o Munna Ray R/o - Bari Khagaul Nav Ratanpur, P.S - Khagaul, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi W/o Uma Shankar Rai R/o Village - Bari Khagaul Navratanpur Ward No. 10, P.S - Khagaul, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Khagaul P.S. Case No. 87 of 2026 dated 13.02.2026 registered for the offence punishable under Sections 126(2), 115(2), 109, 352, 35(1) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in brief, is that on 12.02.2026 at about 4:00 P.M., a dispute arose among family members over partition of land and construction-related monetary transactions, during which the accused allegedly abused and threatened the



informant. Thereafter, at about 7:30 P.M., the petitioners along with other accused persons and some unknown persons, armed with *lathi*, *danda* and iron rod, assaulted the informant and her son, causing head injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. It is submitted that the incident has occurred due to family dispute between both the parties. It is next submitted that the Informant is the own sister of the petitioner no.1 and own aunt of the petitioner no.2. It is further submitted that the petitioner no.1 is a lady and the petitioner no.2 is a physically disabled young person having 50% permanent disability and there is no allegation of active participation as against the petitioner no.2. So far as petitioner no.1 is concerned, the allegation made against her is general and omnibus in nature. Learned counsel for the petitioners by referring to the statements made in this anticipatory bail application submits that the injuries are simple in nature. Learned counsel for the petitioners undertakes on behalf of the petitioners that the petitioners will cooperate in the investigation and they will not temper with the evidence, if enlarged on anticipatory bail. Lastly, it is submitted that the petitioners bear no criminal



antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the petitioners and considering the allegation of assault made against the petitioners being general and omnibus and the injuries having been found to be simple in nature as also the petitioners having no criminal antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on 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 Additional Chief Judicial Magistrate-V, Danapur, Patna in connection with Khagaul P.S. Case No. 87 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the 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 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)

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