

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40646 of 2026

Arising Out of PS. Case No.-539 Year-2025 Thana- BAHERI District- Darbhanga

Raj Kumar Bhagat S/o Late Yogendra Bhagat Resident of Village- Baheri,
P.S.- Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narayan Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 109(1), 76, 351(2), 352, 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that while she was at home with her three children in absence of her husband on 17.12.2025 at 08:00AM, when her elder brother-in-law Raj kumar along with Meena, Nihit and Raushan came and started connecting a plastic pipe with the main drain in front of her house, on objection, Nihit and Raushan dashed her on the ground and Raushan started strangulating her while Nihit tried to rape her and Meena assaulted by brick causing injury on left



ear and head and also snatched her chain, further when her husband came he was also assaulted by Nihit and Raushan by lathi causing injury on orders of Raj Kumar and Raj Kumar assaulted him by rod causing injury on head and when people gathered they fled.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, who is wife of his younger brother, it is next submitted that parties are having dispute relating to land, as such, a false case came to be instituted in which the entire family members have been implicated, it is further submitted that all Sections of BNS are bailable except Section 109(1) and 76, it is further submitted that specific plea has been taken at Para 9 that there is no injury report in respect of the injured, it is also submitted that even the order impugned does not record about any injury.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioners.

6. Considering the submissions and taking into consideration the fact that petitioner, the above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Baheri P.S. Case No. 539 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. The application stands allowed.

(Satyavrat Verma, J)

Nitesh/-

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