

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38822 of 2026

Arising Out of PS. Case No.-174 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Raj Kumar Das @ Raj Kumar Son of Nathuni Das @ Natho Das Resident of
village - Sakhmohan, Ward No.- 11, Police Station - Bibhutipur, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar Kunwar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-07-2026 Heard Mr.Shashank Shekhar Kunwar, learned
counsel for the petitioner and Mr.Sanjay Kumar Sharma, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bibhutipur P.S.Case No.174 of 2024,FIR dated
13.06.2024 registered for the offences punishable under
Sections 147, 148, 149, 341, 342, 354, 323, 324, 307, 302 of
IPC, 1860.

3. As per the prosecution case, the informant alleged
that on 12.06.2024 at about 12 O’Clock due to dispute the
petitioner alongwith other co-accused persons entered in her
room and assaulted her and her husband, due to which her
husband died.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. It appears from the FIR that due to some dispute, the present occurrence has taken place. There is case and counter case. Although the petitioner is named the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. Similarly situated co-accused persons, namely, Jay Mangali Devi and Chhoti Devi, have been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 08.05.2025 passed in Cr. Misc. No.87766 of 2024 and several other co-accused persons have been granted privilege of anticipatory bail by this Court vide order at Annexure-P/4 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner, there is case and counter case and several other co-accused persons have been granted privilege of anticipatory bail by this Court or by a



Coordinate Bench of this Hon'ble Court, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S.Case No.174 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the BNSS,2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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