

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44913 of 2026

Arising Out of PS. Case No.-177 Year-2026 Thana- GAURICHAK District- Patna

1. Baijnath Mochi @ Vaijanath Mochi Son of Rambahal Mochi Resident of Village- Avagila, P.S.- Gaurichak, District- Patna (Bihar)
2. Sunaina Devi Wife of Ablendra Kumar @ Amrindra Kumar Resident of Village- Avagila, P.S.- Gaurichak, District- Patna (Bihar)
3. Unna Devi @ Una Devi Wife of Baijnath Mochi @ Vaijanath Mochi Resident of Village- Avagila, P.S.- Gaurichak, District- Patna (Bihar)
4. Soni Kumri Wife of Shailendra Kumar @ Salendra Kumar Resident of Village- Avagila, P.S.- Gaurichak, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarfraz Akhtar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 15-07-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners seek grant of anticipatory bail in connection with Gaurichak P.S. Case No. 177 of 2026, dated 11.03.2026, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 117(2), 352, 351, and 3(5) of the Bharatiya Nyaya Sanhita (B.N.S.).

3. The case of the prosecution, in short, is that a dispute arose over a pathway encroachment, the accused persons, including Baijnath Mochi and Sunaina Devi, assaulted



the informant and his son with lathis and khanti, causing a hand fracture and head injury.

4. Learned counsel for the petitioners submits that petitioner no. 1 (Baijnath Mochi) and the informant are own brothers, with an ongoing land dispute relating to the passage between them. It is submitted that the petitioners have been falsely implicated and there is no specific overt act of causing injury is attributed to them. It is further submitted that the petitioners have clean antecedents. Petitioner No. 1 is an elderly person aged about 70 years, while petitioner nos. 2, 3 and 4 are women.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Having heard the rival submissions of the parties and considering the facts and circumstances of the case, particularly the domestic/land dispute between family members, the clean antecedents of the petitioners, the general nature of allegations against them, and the advanced age of petitioner no. 1, and the gender of petitioner nos. 2, 3, and 4, this Court is inclined to grant the privilege of anticipatory bail.

7. Let the petitioners above-named, in the event of their arrest or surrender before the learned court below within a



period of four weeks from today, be released on anticipatory bail on furnishing bail bonds 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-II, Patna City, in connection with Gaurichak P.S. Case No. 177 of 2026, subject to the conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS).

(Ranjan Kumar Jha, J)

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