

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44457 of 2026

Arising Out of PS. Case No.-33 Year-2019 Thana- SHANKARPUR District- Madhepura

1. Khusboo Kumari @ Khushboo Kumari D/o Suresh Sah NA
2. Niraj Kumar S/o Suresh Sah NA
3. Gautam Kumar S/o Suresh Sah R/o Village - Jirva Ward no. 02, P.S. - Shankarpur, District - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav
For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 504, 307 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no.1 is a woman and the informant alleges that accused persons including the petitioners on 06.03.2019 at 8.30 A.M. came and abused and assaulted him and his son.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that police after investigation submitted Final Form No.121 of 2019, exonerating the petitioners of the allegation, as alleged in the FIR but then the learned trial



court differing with the police report, took cognizance. It is further submitted that when one investigating agency after threadbare investigation came to a considered conclusion that petitioners are innocent, whether it would be prudent for the Court to send the petitioners to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioners of the allegations.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Shankarpur P.S. Case No.33/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

amit/-

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

