

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50328 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- ITARHI District- Buxar

1. Gautam Ram @ Gautam Kumar S/o Gorakh Ram R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar
2. Gorakh Ram S/o Shubedar Ram R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar
3. Mamta Kumari @ Mamita Kumari D/o Gorakh Ram R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar
4. Sarita Kumari D/o Gorakh Ram R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar
5. Rinki Kumari @ Chhoti Kumari D/o Gorakh Ram R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar
6. Meena Devi W/o Gorakh Ram R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar
7. Neha Kumari @ Neha Kumari Devi W/o Gautam Ram @ Gautam Kumar R/o vill - Khanita, P.S.- Itarhi, Distt.- Buxar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Advocate
For the Opposite Party/s : Mr.Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Itarhi P.S. Case No. 40 of 2026, instituted for the offences under Sections 115(2), 126(2), 110, 117(2), 303(2), 3(5), 74, 352 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that on February 23rd, 2026, at 08:00 AM, while the informant, Menika Devi, was standing outside her house in the meantime all the accused persons named in the F.I.R, including the petitioners, allegedly



began abusing her and blocked her path. It is further alleged that petitioner No.2 Gorakh Ram allegedly provoked the other accused persons, ordering them to kill all of the informant's family members. Thereafter, accused persons allegedly assaulted the informant, her husband, and her mother-in-law with sticks, bricks, and stones. It is alleged that during the incident, the informant's husband sustained a head injury, and her mother-in-law, Renu Devi, suffered a fracture in her left hand. It is further alleged that petitioner No.1 Gautam Kumar tore the informant's clothes, and Meena Devi and Neha Devi allegedly snatched jewelry.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. He further submits that except petitioner No.2, the other petitioners have clean criminal antecedent. The allegation against the petitioners are general and omnibus in nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, taking into account general and omnibus allegations have been made against petitioner Nos. 3. Mamta Kumari @ Mamita Kumari, (4) Sarita Kumari, (5) Rinki Kumari @ Chhoti



Kumari (6) Meena Devi and (7) Neha Kumari @ Neha Kumari Devi, let the petitioners Nos. 3, 4, 5, 6 and 7, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Itarhi P.S. Case No. 40 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

7. So far as anticipatory bail petition of petitioner no.1 Gautam Ram @ Gautam Kumar and petitioner No. 2 Gorakh Ram are concerned, taking into account that there is specific allegation of provocation and outraging the modesty of the informant, this Court is not inclined to grant anticipatory bail to the petitioner Nos. 1 Gautam Ram @ Gautam Kumar and petitioner No. 2 Gorakh Ram.

8. Accordingly, the prayer for grant of anticipatory bail to the petitioner Nos. 1 and 2 is, hereby, **rejected**.

9. However, if the petitioner Nos. 1 and 2 surrender before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed



of on its own merit without being prejudiced by this order.

(Alok Kumar, J)

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