IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71903 of 2026

CNR No. BRHC011035952026

Arising Out of PS. Case No.-104 Year-2026 Thana- Kurth District- Arwal

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1. Koshami Devi @ Koshami Kumari W/o Dhantesh Yadav @ Dhantesh Kumar R/o Village - Chamandi, PS - Kurtha, District - Arwal
2. Dhantesh Yadav @ Dhantesh Kumar S/o Madan Singh R/o Village - Chamandi, PS - Kurtha, District - Arwal

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Anil Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Pushpa Sinha.1, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Kurtha P.S. Case No. 104 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 329(3), 118(1), 109, 352, 351(2), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the allegation made in the F.I.R., the petitioners, who are the informant's Gotani and Bhaisur, respectively, allegedly assaulted her on 17.06.2026, causing injury to her head, and snatched her earring.

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4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have been falsely implicated in the present case due to a family dispute. He submitted that the petitioners and the informant are close family members and that an altercation took place in connection with a dispute relating to the construction of a house. The informant sustained injuries during the said altercation. He further submitted that the petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and having perused the allegations made in the F.I.R., particularly the fact that the dispute appears to have arisen out of a family altercation and that the petitioners have no criminal antecedent, I am of the opinion that the petitioners have, *prima facie*, made out a case for grant of pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/-

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(Rupees Ten Thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Arwal, or the successor court, in connection with Kurtha P.S. Case No. 104 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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