IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74392 of 2026

CNR No. BRHC011041902026

Arising Out of PS. Case No.-163 Year-2026 Thana- Madhusudanpur District- Bhagalpur

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1. Rekha Devi, Wife of Ratan Rajak @ Ratan Kumar Rajak, Resident of Village- Digghi, Police Station- Madhusudanpur, Dist- Bhagalpur
2. Jogi Rajak @ Yogendra Rajak, Son of Late Hari Rajak, Resident of Village- Digghi, Police Station- Madhusudanpur, Dist- Bhagalpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mrs. Khushboo Kumari, Advocate
Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Madhusudanpur P.S. Case No. 163 of 2026 registered for the offences under Sections 115(2), 109, 126(2), 118(2), 352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly in the evening of the fateful day, while the informant along with his son were going to the market on a motorcycle, in the meanwhile, the petitioner along with other accused persons surrounded them and started abusing. It is

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further alleged that the accused persons assaulted the informant and his son with kicks, slaps, *lathis* and *iron* rod, due to which they sustained serious injuries.

4. Learned advocate for the petitioners, adverting to the F.I.R., contended that save and except the omnibus allegation against six named accused persons, including the petitioners, except co-accused Ruchi Kumari, who is said to have assaulted by means of a *Hasua* over the head of the informant, there is no allegation of overt act against the petitioners. The genesis of the occurrence is nothing but a trifle. There is a counter version of the present case, being Bhagalpur SC/ST P.S. Case No. 15 of 2026, instituted by petitioner no.1, against the informant and others. In the said incidence, it is contended by learned Advocate for the petitioners that no serious injuries have been sustained by anyone. The petitioners are said to be persons of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners have actively participated in the crime.

6. Considering the rival submissions advanced by learned Advocate for the respective parties and taking note of

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the omnibus nature of allegation, as also the fact that none of the persons have sustained any serious injuries, besides the factum of case and counter case and the fair antecedent of the petitioners, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on 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 Additional Chief Judicial Magistrate-VIII, Bhagalpur in connection with Madhusudanpur P.S. Case No. 163 of 2026, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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