IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75851 of 2026

CNR No. BRHC011079842026

Arising Out of PS. Case No.-80 Year-2026 Thana- BHARGAMA District- Araria

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1. Manjula Devi wife of Lal Bahadur Chaupal R/O Vill.- Jayanagar, P.S.- Bharagama, Dist.- Araria.
2. Vikah Kumar son of Lal Bahadur Chaupal R/O Vill.- Jayanagar, P.S.- Bharagama, Dist.- Araria.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate
: Mr. Ram Krishna Yadav, Advocate
: Mr. Adhish, Advocate
For the State : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-11-2026 Heard Mr. Adhish, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Bhargama P.S. Case No. 80 of 2026 registered for the offence under Sections 191(1), 191(2), 126(2), 115(2), 109, 132, 121(2), 324(1), 324(4) and 324(6) of the B.N.S., lodged on 27.03.2026 by the informant, Raushan Kumar.

3. As per the prosecution story, the informant alleged that the Police went to a place to arrest Lal Bahadur Chaupal but

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was resisted by the locals including the two petitioners who are wife and son respectively. Allegation is that the wife gave bamboo blow to Dhiraj Kumar Bhaskar causing injury on his back while petitioner no.2 broke the glass of the Police vehicle. This led to the F.I.R.

4. Learned counsel for the petitioners submit that no such occurrence took place, there was a scuffle and the Police has implicated them only because they belong to the family of Lal Bahadur Chaupal. One of the petitioner is a lady while petitioner no.2 is the son though he has criminal antecedent. Last submission is that without accepting the allegation or outcome of the present petition, the petitioner no.1, Manjula Devi intend to pay Rs.5,000/- to the Dhiraj Kumar Bhaskar for the treatment of the injury sustained and petitioner no.2, Vikash Kumar Rs.15,000/- to the Chief Minister's Relief Fund by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

5. Learned APP opposes the prayer submitting that the petitioner no.2 has criminal antecedent.

6. Considering the submissions of the parties aforesaid as also that injury has been found to be simple in

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nature, the petitioners themselves have come forward to compensate the cost of the vehicle by making to the Chief Minister's Relief Fund, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment as under:

(i) payment of Rs.5,000/- by the petitioner no.1, Manjula Devi to the Dhiraj Kumar Bhaskar for the treatment of the injury sustained;

(ii) payment of Rs.15,000/- by the petitioner no.2, Vikash Kumar to the Chief Minister's Relief Fund;

(iii) both the payment shall be made by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank and to be submitted at the time of execution of bail bond.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Araria, in connection with Bhargama P.S. Case No. 80 of 2026 subject

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to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner no.2, Vikash Kumar shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

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(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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