IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80047 of 2026

CNR No. BRHC011140632026

Arising Out of PS. Case No.-418 Year-2026 Thana- HARSIDHI District- East Champaran

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1. Nagendra Kumar @ Nagendra Ram S/O Mohar Ram Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran
2. Devendra Kumar S/O Mohar Ram, Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran
3. Dharmendra Kumar S/O Mohar Ram, Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran
4. Chandani Kumari D/O Mohar Ram, Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran
5. Lalti Devi @ Lalmati Devi W/O Mohar Ram Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran
6. Mamta Devi @ Mamta Kumari W/O Late Upendra Ram, Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran
7. Babita Devi W/O Nagendra Ram, Resident of Vill- Matiyariya, Ward No-01, P.S.- Harsidhi, Dist- East Champaran

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sitesh Kashyap, Advocate
For the State : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 25-11-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Harsidhi P.S. Case No. 418 of 2026 registered for the offence(s) under Section(s) 115(2), 126(2), 118(1), 75(2), 76, 109(1), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

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3. As per the prosecution case, the informant is said to have been assaulted by the named accused persons, who had come, variously armed, along with ten unknown persons.

4. The learned counsel for the petitioners submits that the petitioners are alleged to have assaulted various prosecution members with fist & kicks and even *lathi* and a gold chain was also snatched. It has further been submitted by the learned counsel for the petitioners that the petitioners have falsely been implicated and the entire family has been implicated with false and concocted story. It has next been submitted that the injury reports have been brought on record by Annexure-P/2 and from perusal of the same, all the injuries sustained by various injured persons, were found to be simple in nature. It has also been pointed out that the injury reports are stated to be prepared two days after the said occurrence and the F.I.R had been lodged after six days of the occurrence, which goes on to show that it was lodged with an afterthought and implicating each and every member of the family with allegations. It has lastly been submitted that the petitioners have clean antecedent.

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

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6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Harsidhi P.S. Case No. 418 of 2026 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

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(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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