

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.942 of 2026

Arising Out of PS. Case No.-173 Year-2025 Thana- KHIJARSARAI District- Gaya

1. Sunita Devi @ Malo Devi W/O Shrawan Vishkarma R/O village- Rauniya Road Dhurpar, P.S- Khizersarai, District- Gaya
2. Suraj Vishwakarma @ Suraj Kumar S/O Shrawan Vishwakarma R/O village- Rauniya Road Dhurpar, P.S- Khizersarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

4 23-07-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek anticipatory bail in connection with Khizersarai P.S. Case No. 173 of 2025, registered for offences punishable under Sections 115(2), 109, 126(2), and 352 of the B.N.S.

3. The allegation in short is that petitioner no. 1 (Malo Devi), daughter of the informant, and petitioner no. 2 (Neeraj Kumar / Suraj Kumar), maternal grandson of the informant, assaulted the informant with an iron rod causing a head injury.

4. Learned counsel for the petitioners submits that the petitioners and the informant are close family members, and the FIR is an exaggerated outcome of a simple domestic dispute between the parties. By referring to the impugned order, learned



counsel highlights that the injury sustained by the informant is simple in nature. Although Annexure P-3 indicates one pending complaint case (Complaint Case No. 730/2015) against petitioner no. 1, the same relates to petty offences, and petitioner no. 1 is already on bail in that matter.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Having considered the submissions of the parties, the family relationship between the petitioners and the informant, and the fact that the injury sustained by the informant has been found to be simple in nature, this Court is inclined to allow the present application.

7. Accordingly, in the event of arrest or surrender before the learned Court below within four weeks from today, the petitioners above-named shall be released on anticipatory bail on furnishing a bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of the learned J.M.F.C., Gaya in connection with Khizersarai P.S. Case No. 173 of 2025, subject to the conditions laid down under Section 482(2) of the BNSS.

(Ranjan Kumar Jha, J)

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