

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83147 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- RAJAON District- Banka

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- 1 . Gaurav Kumar Son of Ashok Mandal Resident of Village- Bhagwanpur, Ps- Rajoun, Dist- Banka
 2. Sunaina Devi Wife of Ashok Mandal Resident of Village- Bhagwanpur, Ps- Rajoun, Dist- Banka
 - 3 . Sujata Kumari wife of Gaurav Kumar Mandal Resident of Village- Bhagwanpur, Ps- Rajoun, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-01-2026 At the outset, learned counsel for the petitioners seek permission to withdraw the pre-arrest bail petition with respect to petitioner No. 2.

2. Permission is accorded.

3 . This bail petition with respect to petitioner No. 2 is dismissed as withdrawn .

4. Heard learned counsel for the petitioner Nos. 1 and 3 and the State .

5 . Petitioner apprehends his arrest in a case registered for the offence punishable under sections 126 (2), 115 (2), 76, 110, 352, 351 (2), 3 / 5 and 117 (2) of BNS.



6. As per the prosecution case , informant namely, Renu Kumari alleged that on 08.05.2025 , petitioner No. 1 came and started misbehaving with informant and thereafter, co-accused Sunaina Devi and petitioner No. 3 came and started abusing and assaulting her. It is further alleged that when informant informed about the aforesaid incident to her husband, and thereafter, her husband went to ask regarding the aforesaid occurrence , then petitioner No. 1 assaulted him by means of iron rod and petitioner No. 3 snatched mangalsutra from informant.

7. Learned counsel for the petitioners submitted that petitioners are innocent and have falsely been implicated in this case due to land dispute . Allegation of assault is general and omnibus against these petitioners. There is inordinate delay of 5 days in lodging the present F.I.R. which itself creates doubt over the entire prosecution . Petitioners claim clean antecedent.

8 . Learned counsel for the State opposed the bail petition and submitted that specific accusation of assault is against petitioner No. 1 who is alleged to have assaulted husband of informant.

9. Considering the nature of accusation against petitioner No. 1 , his prayer for pre – arrest bail is rejected.



10 . Considering the general and omnibus allegation against petitioner No. 3 and also the fact that she is lady and has got clean antecedent and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioner No. 3 , as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned in connection with Rajoun P.S. Case No. 217 of 2025 , subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023 .

(Prabhat Kumar Singh, J)

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