

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86897 of 2025

Arising Out of PS. Case No.-488 Year-2025 Thana- GHOSI District- Jehanabad

1. Pintu Kumar Son of Late Suresh Prasad
2. Savita Devi Wife of Uday Yadav @ Suresh Prasad.
3. Sonfi Devi Wife of Late Suresh Prasad.
4. Rinku Kumari Wife of Pintu Kumar.
5. Aarti Kumari Daughter of Uday Yadav.
All Resident of Village- Ratan Bigha, Police Station- Ghosi, District-
Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr.Birendra Kumar, learned counsel for the

petitioners and Ms.Indu Kumari Srivastava, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Ghosi P.S.Case No.488 of 2025, FIR dated
13.09.2025 registered for the offences punishable under
Sections 126(2),115(2),109,303(2),352,351(2),3(5) of BNS,
2023.

3. The essence of allegation as contained in FIR is
that on 10.09.2025 at about 05:00 P.M. while the informant was
at his house, suddenly all petitioners along with other co-



accused came at his house armed with Lathi and Danda, and started to hurling abuses. On objection by his nephew accused Uday Yadav started assaulting him and other petitioners started pelting stones over his house. Accused Uday Kumar gave repeated iron rod blow over the head of his nephew due to which he sustained head injury and fell unconscious. Thereafter other co-accused persons snatched his gold chain and other belonging. On this the informant created hue and cry then villagers gathered and accused fled away.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. The present case is counter blast of Ghosi P.S.Case No.486 of 2025 filed by petitioner No.2, namely, Savita Devi against the informant and his family members, apart from the aforesaid, from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 10.09.2025 but the present FIR has been instituted on 13.09.2025 after delay of about four days without giving any explanation of delay. It appears from the FIR that the specific allegation of assault is attributed against co-accused person, namely, Uday Kumar that he assaulted to the nephew of the informant by means of iron rod and there is no specific allegation of any assault or overt-act attributed against the



petitioners in the FIR.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioners in the FIR and there is case and counter case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S.Case No.488 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.



(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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