

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88828 of 2025

Arising out of PS. Case No.-422 Year-2025 Thana- TURKAULIYA District- East Champaran

Brijesh Kumar @ Viresh Kumar S/o Dukhi Rai R/o Village- Khagani, P.S-
Turkauliya, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s: Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Turkaulia P.S. Case No. 422 of 2025 registered under sections 115(2), 75(2), 109, 303(2), 352, 351(2), 324(4) & 3(5) of the BNS.

3. The allegation in the First Information Report is that the accused persons including the petitioner were indulged in assaulting the informant and other family members while the petitioner Brijesh Kumar tried to outrage the modesty of Hewati Devi.

4. Learned counsel for the petitioner at the outset sub-



mits that the present First Information Report has been filed after inordinate delay on 01.09.2025 while the occurrence took place on 10.08.2025 and no plausible explanation has been tendered for such delay. It is further submitted that the narration of the FIR would itself disclose that there is no allegation of any assault upon the petitioner but for some ornamental allegation of outraging modesty. It is also submitted that Section 109 BNS would not be attracted against the petitioner even assuming the allegations to be correct.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the facts and circumstances of the case and considering the inordinate delay in the FIR coupled with the ornamental allegation imputed upon the present petitioner, let the petitioner, above named who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Turkauliya P.S. Case No. 422 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, subject to the condition



laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that he shall co-operate in investigation/trial.

(Soni Shrivastava, J)

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