

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92044 of 2025

Arising Out of PS. Case No.-318 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Soni Kumari W/o Atul Kumar R/o Swami Vivekanand Nagar, Hemra Ward no. - 41, P.S. - Muffasil, Dist. - Begusarai.
 2. Atul Kumar Son of Ashok Singh R/o Swami Vivekanand Nagar, Hemra Ward no. - 41, P.S. - Muffasil, Dist. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-01-2026 Heard the learned Advocate for the petitioners and the
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Muffasil P.S. Case No. 318 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 352, 351(1) and 3(5) of the B.N.S., 2023.

3. In the morning of the fateful day, the petitioners along with other five unknown persons entered into the house of the informant and started abusing. On objection being raised, the petitioners along with others caught hold the hair of the informant's mother and brutally assaulted by means of brick, stone, lathi and danda.

4. Learned Advocate for the petitioners submitted that



the genesis of the occurrence is nothing but a trifle, resulting into a scuffle, leading to some unfortunate injuries. There is counter version of the present case being Complaint Case No. 1497 of 2025, instituted against the informant and others. It is the contention of the petitioners that since the written report of the petitioners was not accepted by the concerned SHO, then written report has also been sent to the Superintendent of Police on 16.10.2025 through the speed post, the copy of which has also been placed on record. It is lastly contended that there is no specific accusation against the petitioner no. 1, moreover, the petitioner no. 2 happens to be husband of the petitioner no. 1 and it is alleged that he used to abuse the informant and his family members. There is no allegation that the petitioners have actively participated in the crime. The petitioners are persons of fair antecedent and they undertake that they will fully co-operate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that one of the injury sustained over the parietal region of the skull over the injured mother of the informant has been found to be grievous in nature and the complicity of the petitioners cannot be denied.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of



the omnibus nature of allegation, coupled with the genesis of the occurrence and the factum of case and counter case, besides the fair antecedent, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 318 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further conditions that:-

(i) One of the bailors shall be the own/close family members of the petitioners.

(ii) If the petitioners are found involve in intimidating/threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to file appropriate application for cancellation of their bail bond(s).

(Harish Kumar, J)

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