

In the Court of Sessions Judge, East Champaran at Motihari.

Present:-

Abhishek K. Das
Sessions Judge,
East Champaran at Motihari

Anticipatory Bail Petition No. 1311 of 2026

1. **Amrish Ray, aged about 20 years, S/o- Asman Rai.**
2. **Laljhari Devi, aged about 41 years, W/o- Asman Rai.**
Both R/o-Village- Siswa Barar Tola, Ward No. 02, P.S. Raxaul, District- East Champaran.

-----Petitioners.
Versus
----- Opposite party.

The State of Bihar

Counsel for the Petitioners :- Sri Sunil Kumar Singh, Advocate.
Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

23.03.2026

This anticipatory bail petition is filed on behalf of petitioners, namely, (1) Amrish Ray and (2) Laljhari Devi, who are apprehending their arrest in connection with Raxaul P.S. Case No. 455 of 2025 u/ss 126(2), 115(2), 109, 303(2), 352, 351(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023.

In para-2 of the anticipatory bail petition, it is mentioned that no other anticipatory or regular bail petition has ever been filed on behalf of the petitioners either in this court or before the Hon'ble Patna High Court. As per para-3 of the anticipatory bail petition the petitioners have no criminal antecedent.

As per F.I.R., the informant and his brothers Arvind Rai, Kanhaiya Rai and Arjun Rai were returning house after seeing fair and when they reached near the house of Asman Rai, he abused them and assaulted the informant with *farsa*, *garasi*, resulting in head injury. Amrish Ray (petitioner), Raju Rai and Laljhari Devi (petitioner) assaulted the informant's brother, with *bhala* and *garansi*, resulting in head injuries to them. Asman Rai assaulted informant's mother Punita Devi with *farsa*, resulting in head injury. Laljhari Devi (petitioner) snatched gold chain, gold earpin and locket from informant's mother and Raju Rai snatched gold chain from Arvind.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have committed no offence. There is no specific allegation against the petitioners. The alleged offences are bailable, except Sections 109, 303(2) of B.N.S. which are super addition. This case has been compromised in between the parties.

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The learned Public Prosecutor appearing on behalf of State has opposed the prayer for anticipatory bail on the basis of materials available on the record.

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioners are named in the F.I.R. As per F.I.R., Amrish Ray (petitioner), Raju Rai and Laljhari Devi (petitioner) assaulted the brothers of informant with *bhala* and *garansi*, resulting in head injuries to them and Laljhari Devi (petitioner) snatched gold chain, gold earpin and locket from informant's mother. As per para-18 of the case diary, containing injury reports, Arvind Yadav sustained lacerated wound on scalp and abrasion wound on right knee and Kanhaiya Yadav sustained pain and swelling on left elbow. As per para-2, 6, 7, 8 of the case diary, the informant in his restatement and the witnesses have corroborated the version of F.I.R. As per para-3 of the anticipatory bail petition and para-65 of the case diary, the petitioners have no criminal antecedent.

In the facts of the case and keeping in view the nature of allegation, I am not inclined to give privilege of pre-arrest bail to the petitioner (1) Amrish Ray. Accordingly the prayer for anticipatory bail of the petitioner, namely, **(1) Amrish Ray** stands **rejected**.

So far as another petitioner, namely, (2) Laljhari Devi is concerned, there is common allegation of assault to three brothers of informant against her. The petitioner is a lady.

Considering the above, I am inclined to give privilege of pre-arrest bail to the petitioner (2) Laljhari Devi. Accordingly, in the event of her arrest or surrender before the learned court below, within four weeks from the date of receipt of copy of this order, the petitioner **(2) Laljhari Devi** is ordered to be released on anticipatory bail, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Ld. Court below in the aforesaid case subject to condition as laid-down u/s 482(2) of B.N.S.S.

(Dictated)

Sd/-

**Sessions Judge
East Champaran at Motihari
23.03.2026**