

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.2834 of 2026.

1. Shiv Nath Prasad
 2. Dharm Sheela Devi
 3. Abhishek Kumar
 4. Sonali Kumari @ Neha Kumari
 5. Shilpi Kumari
 6. Pintu Kumar
 7. Sintu Kumar
- Petitioners.

Versus
The State of Bihar

Order
No.

Date

O R D E R

09 21-08-2026

1. The **seven petitioners** named above apprehend arrest in connection with **Ramkrishna Nagar P.S. Case No. 553 of 2026**, registered for offences under Sections 115(2), 118(1), 190, 191(2), 303(2), 351(2), and 325 of the Bharatiya Nyaya Sanhita, 2023.
2. Heard, Sri Kapil Dev Sharma learned counsel for the petitioners and Sri Rajesh Kumar, learned Public Prosecutor for the State.
3. The prosecution case, in brief, is that the informant, Chandan Kumar, alleged that on 27.05.2026 at about 04:30 A.M., his father, Vishwanath Prasad, had taken their cow out of the cowshed for feeding. When he re-entered the cowshed, taking advantage of the darkness, Abhishek Kumar (petitioner no. 3) and Shivnath Prasad (petitioner no. 1) allegedly cut the cow's udder with a knife. It is further alleged that Shivnath Prasad held the cow by its rope while Abhishek Kumar inflicted the injury. Upon hearing the cow's cries, the informant's father came out and saw Abhishek Kumar fleeing the scene with a knife.

It is further alleged that on 28.05.2026 at about 05:00 A.M., when the informant's father again went to the cowshed, Dharmshila Devi (petitioner no. 2), Abhishek Kumar (petitioner no. 3), Shivnath Prasad (petitioner no. 1), Sonali Kumari (petitioner no. 4), and Shilpi Kumari (petitioner no. 5) abused him in filthy language and physically assaulted him. During this incident, Dharmshila Devi allegedly removed Rs. 1,000/- from the shirt pocket of the

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**Contd....
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informant's father. Thereafter, despite being aware that he was a heart patient, all the accused persons allegedly pelted bricks at him with an intention to cause his death. When the informant rushed to his father's aid, the accused persons also attacked him with bricks, causing injuries to his right leg and swelling on the second finger of his left hand. The accused persons further threatened that if any legal action was initiated, they would again mutilate the cow and kill the family members.

It is also alleged that on 01.06.2026 at about 04:00 P.M., when the informant's father went to fetch drinking water from a public tap, the petitioners again abused him. With alleged intent to kill, Shivrath Prasad (petitioner no. 1) assaulted him from behind with a spade (kudal), causing injuries and swelling on his back. It is stated that the accused were aware of his heart condition. Consequently, he required medical treatment at NMCH, Patna. The petitioners are further alleged to have extended threats of dire consequences, including death, in case the informant or his family pursued legal proceedings.

4. Learned counsel for the petitioners submits that the only non-bailable offences invoked are under Sections 118(1) and 303(2) of the BNS, which carry a maximum punishment of five years' imprisonment and are triable by a Magistrate. It is further submitted that the allegations of assault are general and omnibus in nature. It is next submitted that petitioner no.1 Shiv Nath Prasad is Special P.P in Civil Court Patna and petitioner no.2 is wife of petitioner no.1 and other petitioners are son and daughters of petitioner no.1 and petitioner no.6 and 7 are family members. The petitioners have been falsely implicated because of family dispute.
5. Learned Public Prosecutor opposes the prayer for grant of anticipatory bail to the petitioners. However, he fairly submits that as per the X-ray report there is No Bony Injury. He further submits that petitioner no.1 and 2 have one criminal antecedent whereas petitioner nos. 3 to 7 have clean criminal antecedent as recorded

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by the Investigating Officer in para 34 of the case diary.

6. Having regard to the facts and circumstances of the case; nature of offence i.e. severity of punishment in the event of conviction; submission of learned counsel for the petitioners, the prayer for anticipatory bail of the above-named petitioners is **allowed**. It is directed that in the event of arrest or surrender before the learned court below within four weeks from the date of receipt of this order, the above-named petitioners shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of like amount each to the satisfaction of learned court below subject to the conditions as laid down u/s 482(2) of B.N.S.S.

(Dictated)

Sd/-

**(Rakesh Kumar-I)
I/c Sessions Judge, Patna**

Date of Order	21-08-2026
Date of Reserving Order	NA
Uploading Date	21-08-2026
Uploaded by	Rahul/-