

IN THE COURT OF ADDL. SESSIONS JUDGE-IV, DANAPUR

Anticipatory Bail Petition No. 409 of 2026 (Khagaul P.S. Case No. 87 /2026)

In The Matter of:-

1. Sangeeta Devi, aged about 39 years, w/o Satan Ray,
2. Sunita Devi, aged about 41 years, w/o Munna Ray,
3. Ramesh Kumar, aged about 24 years, s/o Munna Ray,
4. Sheo Raj, aged about 21 years, s/o Satan Ray. All r/o- Bari Khagaul Nav Ratanpur, P.S. Khagaul, Distt. Patna

..... Petitioners

Vs.

The State of BiharO.P. No. 01

Sarita Devi, w/o Uma Shankar Rai.....O.P. No.02

Lawyer for the accused; Sri Ganesh Pd. Yadav (Adv.)

Lawyer for the State; Sri Kalam Ansari (Addl. P.P.), Sri Safdar Hayat (Adv.) for O.P. no.02

Present: - Nagma Tarannum Addl. Sessions Judge-04, Danapur

ORDER

04.05.2026	<ol style="list-style-type: none">1. The present application has been filed on behalf of the four petitioners named above, seeking anticipatory bail in apprehension of arrest in connection with Khagaul P.S. Case No. 87 of 2026, registered for the offences punishable under Sections 115(2), 109, 352, 351(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.2. Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State, and learned counsel appearing on behalf of the informant. The case diary and other materials available on record have also been perused.3. The prosecution case, as emerging from the written report lodged by the informant, Sarita Devi, before the Station House Officer, Khagaul Police Station, on 13.02.2026, is that on 12.02.2026 at about 4:00 p.m., her sister Sunita Devi and brother-in-law Satan Ray abused her in connection with a property dispute. It is further alleged that on the same day at about 7:30 p.m., all the accused persons, including the present petitioners and Satan Ray, variously armed with lathi, danda, etc., came to her house and assaulted her. The informant is said to have	Contd.
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<p>Contd. 04.05.2026</p>	<p>sustained head injuries, and her son, Shri Ram Kumar, who was also allegedly assaulted, likewise suffered head injuries. Thereafter, both injured persons were taken to the hospital by family members.</p> <p>4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated on account of long-standing family discord and property dispute. It is contended that no specific overt act has been attributed to the petitioners so as to attract the offences alleged. It is further submitted that the injury reports indicate that the injuries are simple in nature. Learned counsel also submits that the petitioners have clean antecedents and that co-accused Satan Ray has already been granted bail by this Court vide order dated 16.04.2026. On such grounds, prayer has been made for grant of anticipatory bail.</p> <p>5. Per contra, learned Additional Public Prosecutor for the State, as well as learned counsel for the informant, have vehemently opposed the prayer for anticipatory bail to the accused petitioners. It is submitted that the allegations are serious in nature, that the petitioners have been specifically named in the occurrence, and that custodial interrogation may still be necessary. It is further argued that, considering the nature of the accusation and the stage of investigation, no case for grant of anticipatory bail is made out.</p> <p>6. This Court has considered the rival submissions and the materials available on record. It is well settled that anticipatory bail is an extraordinary discretionary relief, to be granted on a careful consideration of the</p>	<p>Contd.</p>
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<p>Contd. 04.05.2026</p>	<p>nature and gravity of the accusation, the necessity of custodial interrogation, the possibility of tampering with evidence or influencing witnesses, and the larger interests of justice.</p> <p>7. In the present case, there are specific allegations against the petitioners of having participated in the assault upon the informant and her son, causing injuries on their heads. It has also been noted that the informant, Sarita Devi, appeared before the Court and showed the injury mark on her head. At this stage, the materials on record do disclose a prima facie case requiring proper investigation.</p> <p>8. So far as the plea of parity is concerned, although co-accused Satan Ray has been granted bail by this Court, the said circumstance does not advance the case of the present petitioners. The co-accused was granted regular bail after remaining in judicial custody for a considerable period, whereas the present petitioners are seeking the privilege of anticipatory bail. The considerations governing regular bail and anticipatory bail are distinct, and therefore the claim of parity, in the facts of the present case, is not available to the petitioners.</p> <p>9. Having regard to the overall facts and circumstances of the case, the nature of the accusations, the injury sustained by the informant and her son, and the fact that the investigation is still in progress, this Court is not inclined to exercise its discretionary jurisdiction in favour of the petitioners.</p> <p>10. Accordingly, the prayer for anticipatory bail of the petitioners, (1) Sangeeta Devi, (2) Sunita Devi, (3) Ramesh Kumar and (4) Sheo Raj, in connection with Khagaul P.S. Case No. 87 of 2026, is rejected.</p>	<p>Contd.</p>
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<p>Contd. 04.05.2026</p>	<p>11. It is clarified that the observations made herein are prima facie for the purpose of deciding the present application and shall not prejudice the merits of the case at trial.</p> <p>12. A copy of this order be communicated to the learned Court concerned.</p> <p style="text-align: right;">(Naghma Tarannum) Addl. Sessions Judge-IV, Danapur</p>	
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