

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10006 of 2025

Arising Out of PS. Case No.-49 Year-2024 Thana- MEDNI CHAUKI District- Lakhisarai

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1. Pachni Devi @ Bachni Devi @ Bachani Devi W/o- Late Shanichar Mahto Village- Kiranpur, P. S. - Mednichowki, District- Lakhisarai.
 2. Nisha Devi W/o- Late Dukhan Mahto Village- Gari Maheshpur PS- Piri Bazar Dist- Lakhisarai
 3. Bichhu Devi @ Sita Kumari @ Buchhe Devi W/o- Late Manoj Mahto R/o- Barbighi PS- Balia Dist- Begusarai.

... .. Petitioners

Versus

1. The State of Bihar
2. Rekha Kumari @ Rekha Devi W/o- Budhan Mahto Village- Kiranpur PS- Mednichowki Dist- Lakhisarai

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Rajesh Kumar, Advocate
For the State : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 At the outset, learned counsel for the petitioners submits that inadvertently, the name of the district in the address of the petitioner no.3 is written as 'Lakhisarai' whereas it should have been written Begusarai and may be permitted to remove this defect in the course of the day.

2. Permission to accorded.



3. The mistake is corrected accordingly.

4. Heard learned counsel for the petitioners and learned APP for the State.

5. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Mednichoweki PS. Case No. 49 of 2024 dated-11.03.2024, registered for the offences punishable under Sections 498A, 341, 323, 504, 506/34 of the Indian Penal Code.

6. As per allegation, the petitioners along with the other co-accused, husband of the informant taunted the informant for not bearing male child. As per further allegation, the accused persons including the petitioner also used to put pressure on her to get involved in selling the illicit liquor and on her refusal, she was subjected to cruelty.

7. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that all the petitioners herein are other than husband. He also submits that no criminal case has been lodged against the petitioners under Bihar Excise Act.

8. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.



9. It has further been stated in paragraph no.3 of the petition that the petitioners have been made accused in one case in which they are on bail.

10. learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

11. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Lakhisarai, in connection with Mednichoweki PS. Case No. 49 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.



(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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