

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14768 of 2025

Arising Out of PS. Case No.-518 Year-2024 Thana- BAKHTIYARPUR District- Patna

1. Kushum Devi Wife of Ram Kumar Sharma Resident of Village/Mohalla-Mirdahachak, P.S.- Bakhtiyarpur, Distt.- Patna
2. Sweety Kumari D/O- Ram Kumar Sharma Resident of Village/Mohalla-Mirdahachak, P.S.- Bakhtiyarpur, Distt.- Patna
3. Sonam Kumari D/O- Ram Kumar Sharma Resident of Village/Mohalla-Mirdahachak, P.S.- Bakhtiyarpur, Distt.- Patna
4. Gautam Kumar Son of Ram Kumar Sharma Resident of Village/Mohalla-Mirdahachak, P.S.- Bakhtiyarpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Prasad Singh, Advocate
For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-03-2025 1. Heard learned Counsel for the petitioners and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Bakhtiyarpur PS case no. 518 of 2024 dated 06.09.2024, disclosing offences punishable under Sections 126(2) and other allied sections of B.N.S. Act.
3. The prosecution story, as per the First Information Report, is that about one month ago, petitioners Kushum Devi, Sweety Kumari, Sonam Kumari and Gautam Kumar abused and assaulted the informant and her husband but with the assistance



of Police, the matter was settled. Again on 06.09.2024 in the morning, petitioner no. 4 Gautam Kumar came and started abusing the informant and when her husband protested, said Gautam Kumar assaulted him with lathi. In the meanwhile, other petitioners came with lathi, danda and knife and petitioner no. 3 Sonam Kumari stabbed on the stomach of informant's husband.

4. Learned Counsel for the petitioners submits that both parties are agnates and there is dispute between them regarding distribution of ancestral property. Learned counsel further submits that a piece of land is being claimed by the side of the petitioners, upon which their children were playing and upon objection being made by the children of the informant's side, quarrel took place, due to which, the present case has been lodged. He next submits that a counter case has also been lodged by the side of the petitioners bearing Bakhtiyarpur PS Case No. 517 of 2024, which is prior in time and as a counterblast, the present F.I.R. has been lodged by the informant. He also submits that injuries sustained by both sides are simple in nature.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail



and submits that learned Sessions Judge, in the impugned order, has taken note of the video clipping, in which, petitioner no. 3 Sonam Kumari was seen stabbing on the stomach of Mahesh Kumar, husband of the informant.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that both parties are agnates having land dispute, case and counter case is there and injuries caused to both sides are simple in nature, I am inclined to grant the privilege of anticipatory bail to the petitioners.

7. This application is, accordingly, allowed.

8. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Barh, Patna in connection with Bakhtiyarpur PS case no. 518 of 2024, subject to the condition laid down under Section 482 of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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