

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16465 of 2025

Arising Out of PS. Case No.-275 Year-2024 Thana- KALYANPUR District- Samastipur

Mithlesh Devi @ Mithilesh Devi, W/O Late Rajo Ray @ Raja Ram Ray @
Raju Ray, R/ o Village - Chhet Bakhari, P.S- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 13-05-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends her arrest in connection
with Kalyanpur P.S. Case No. 275 of 2024, registered for the
offences punishable under Sections 126(2), 109, 352, 351(2) (3),
132, 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the
Arms Act.

3. The police in course of search of some charge sheeted
absconded criminals raided at the place of occurrence, whereupon
allegedly the petitioner obstructed the police personnels in
discharging their duty and thereby making a ruckus. In the mean
while, two other co-accused and 8 to 10 persons came there and
started abusing and assaulting the police constable. There is



allegation of firing against the police personnel also.

4. Learned Advocate appearing on behalf of the petitioner taking this Court through the FIR contended that apart from the fact the petitioner is a widow lady, the only allegation has been levelled against her that she confronted with the police personnels. There is no allegation of any overt act against the petitioner; moreover, the petitioner is a lady having fair antecedent and the allegation levelled in the FIR also does not find corroborated in view of the fact that no empty cartridges have been seized by the police and in fact, the entire case instituted against the petitioner is *mala fide*.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that the petitioner is a lady having fair antecedent, let the petitioner above named be released on bail, in the event of her arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur, District



Samastipur in connection with Kalyanpur P.S. Case No. 275 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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