

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16806 of 2025

Arising Out of PS. Case No.-82 Year-2024 Thana- BALIYA District- Begusarai

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1. Ful Kumari Devi @ Ful Kumari @ Phul Kumari Devi @ Phul Kumari W/O Murlidhar Yadav R/O Village- Tulsi Tol, Paharpur, Post- Paharpur, P.S- Ballia (Baliya), Distt.- Begusarai.
 2. Suman Devi W/O Patilal Yadav R/O Village- Tulsi Tol, Paharpur, Post- Paharpur, P.S- Ballia (Baliya), Distt.- Begusarai.
 3. Pramila Devi @ Prameela Devi W/o Mantun Yadav @ Mantoon Yadav R/O Village- Tulsi Tol, Paharpur, Post- Paharpur, P.S- Ballia (Baliya), Distt.- Begusarai.
 4. Mina Devi @ Meena Devi W/O Pankaj Yadav R/O Village- Tulsi Tol, Paharpur, Post- Paharpur, P.S- Ballia (Baliya), Distt.- Begusarai.
 5. Asha Devi W/O Mithilesh Yadav @ Mithlesh Yadav R/O Village- Tulsi Tol, Paharpur, Post- Paharpur, P.S- Ballia (Baliya), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025 Heard Mr. Sandip Kumar Gautam, learned counsel

for the petitioners as well as Mr. Rana Randhir Singh, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Ballia (Baliya) P.S. Case No. 82 of 2024, F.I.R.
dated 08.03.2024 for the offences punishable under Sections
147, 148, 232, 324, 504, 506, 354, 379, 448 and 307 of the
Indian Penal Code.

3. According to prosecution case, the petitioners

and other co-accused persons assaulted the informant by means of various weapons and on protest they started abusing him.

4. Learned counsel for the petitioners submits that petitioners are having clean antecedent and they have falsely been implicated in the present case. Although, the petitioners are named in the F.I.R., but from the perusal of the F.I.R., it appears that there is no specific allegation of any assault or overt act against these petitioners. Allegation against these petitioner is that they have thrown the bricks and stone from their roof and due to that assault, the animals have received injury. He further submits that it appears from the F.I.R. itself that due to admitted land dispute, the present occurrence has been taken place and it appears from the F.I.R. that the date of occurrence is 06.03.2024 but the present F.I.R. has been instituted on 08.03.2024 after delay of two days only to falsely implicate these petitioners and other co-accused persons.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts that the petitioners are having clean antecedent. There is no specific allegation of assault or over act against these petitioners, let the petitioners, above named, in the event of arrest or surrender

before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Begusarai in connection with Ballia (Baliya) P.S. Case No. 82 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for

cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J.)

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