

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25372 of 2025**

Arising Out of PS. Case No.-159 Year-2024 Thana- Balwahat District- Saharsa

Chuniya Devi Wife of Kishor Sah Resident of village - Hariyo, P.S.-  
Balwahat, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mayashankar Mishra, Advocate  
For the State : Ms. Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      16-06-2025                      Heard Mr. Mayashankar Mishra, learned counsel for  
the petitioner as well as Ms. Nirmala Kumari, learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in  
connection with Balwahat P.S. Case No. 159 of 2024, F.I.R.  
dated 29.11.2024 for the offences punishable under Sections  
126(2), 115(2), 118(1), 109, 324(4), 3(5) of the B.N.S., 2023

3. According to prosecution case, the petitioner  
along with other co-accused persons is said to have assaulted the  
informant and her husband.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and she has falsely been  
implicated in the present case merely on the ground that she is  
wife of the co-accused, namely, Kishore Sah. He further submits



that although the petitioner is named in the FIR and there is specific allegation against the petitioner that she along with co-accused person, namely, Bipin Kumar has assaulted the informant but there is no injury report of the informant available on the record. There is specific allegation against the co-accused Kishore Sah that he has assaulted informant's husband and his injury report available on the record suggest that he has received only single injury. He further submits that due to admitted land dispute, petitioner has been made accused in the present case and Title Suit No. 54 of 2021 is pending between the parties.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is admitted land dispute between the parties, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Balwahat P.S. Case No. 159 of 2024, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure/ 482 (2) of the BNSS, 2023 and with other following conditions:-

i. Petitioner 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 her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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