

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25068 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

1. Kunti Devi @ Kari Devi W/o Late Mithilesh Chaudhary R/o Village- Singha Bandi Maniyara, P.S.- Neemchak Bathani, District- Gaya
2. Gudiya Devi W/o Praveen Chaudhary R/o Village- Singha Bandi Maniyara, P.S.- Neemchak Bathani, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State, Shri Jharkhandi Upadhyay.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women and the informant alleges that all accused persons including the petitioners came and assaulted her husband, father-in-law and mother-in-law and thereafter threatened not to take them to hospital for treatment, also alleges that on account of assault the



injured received injury on head and are under treatment and their condition is serious.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation of assault is alleged against the petitioners. It is further submitted that though in the FIR, it is alleged that on account of assault, the injured received injury and their condition is serious but then from perusal of the FIR, it would manifest that the same is based on written application and that too after 2 days of the occurrence. It is submitted that had the injured been in a hospital in an injured condition on account of assault made by the accused persons, in that event, the *fardbayan* would have been recorded at the hospital.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners and also taking into consideration the fact that petitioners are women, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned trial court where
the case is pending/successor court in connection with
Neemchak Bathani P.S. Case No. 230 of 2024, subject to the
conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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