

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27732 of 2025

Arising Out of PS. Case No.-190 Year-2023 Thana- SALAKHUA District- Saharsa

1. Vinita Devi @ Vineeta Devi wife of Indal Sharma village- Hathmandal Ward no. 18, Ps- Salkhua (Banma Itahari Op), Teliyahat, at Present Ps- Banma Itahari, Dist- Saharsa
2. Lalo Devi wife of Shambhu sharma @ Bhannu Sharma village- Hathmandal Ward no. 18, Ps- Salkhua (Banma Itahari Op), Teliyahat, at Present Ps- Banma Itahari, Dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 07-05-2025 1. Heard learned counsel for the petitioners as well as learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 447, 341, 323, 307, 427, 379, 504, 506, 34 of the IPC in connection with Salkhua (Banma Itahari O.P.) P.S. Case No.190 of 2023.

3. The prosecution case, in brief is that informant Satish Sharma, on 29.05.2023 at around 10:00 A.M. was working as Raj Mistri in the house of Jumman Mian and got knowledge that his house has been set on fire. Thereafter, he went rapidly to his house and saw that his house set in the fire



and his father Anelal Sharma lying down and Lalo Devi and Buchiya Devi were squeezing his testicle. When he went to protect him Rabindra Kumar assaulted him with *Lathi* on his head causing head injury. Upon attempting to protect himself, Babulal Kumar also assaulted him with *Lathi* and broken his hand. While the flame of fire started high then the nearby people came on place of occurrence thereafter miscreants fled away on hue and cry. During course of occurrence, Vinita Devi snatched the locket of his daughter-in-law. Roshan Kumar and Babulal Kumar assaulted on the neck of his wife Munchun Devi with *Lathi*. All the miscreants including Ramchandra Sharma set his house on fire. He was admitted at Saharsa Sadar Hospital for treatment.

4. Learned counsel for the petitioners submit that petitioners have clean antecedent and has falsely been implicated in the present case. Further submits that from perusal of the FIR, it appears that there is no accusation of any assault or overt act is attributed against the petitioners, rather there is general and omnibus allegation against all the accused persons including the petitioners. It is next submitted that the specific allegation is against Rabindra Yadav and Babulal Kumar.

5. The learned APP opposes the anticipatory bail



application.

6. Considering the fact that the petitioners are women having no criminal antecedent and also given the fact that there is general and omnibus allegation against them and further that the specific allegation is against Rabindra Yadav and Bablulal Kumar, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Saharsa in connection with Salkhua (Banma Itahari O.P.) P.S. Case No.190 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C./Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

(Alok Kumar Sinha, J)

Prakash Narayan

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