

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26123 of 2025

Arising Out of PS. Case No.-303 Year-2024 Thana- KHAIRA District- Jamui

1. Raj Nanandani Kumari D/o Shankar Sah Resident of Village- Kageshwar, P.S.- Khaira, District- Jamui
2. Chhoti Kumari D/o Shankar Sah Resident of Village- Kageshwar, P.S.- Khaira, District- Jamui
3. Shankar Sah @ Shankar Ramdev Sah S/o Late Ramdev Sah Resident of Village- Kageshwar, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ankita Kumari, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-05-2025 Heard Ms. Ankita Kumari, learned counsel for the petitioners and Mr. Aditya Narayan Singh.1, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Khaira P.S. Case No. 303 of 2024 for the offence under sections 3(5), 115(2), 118(1), 118(2), 126(2), 109, 351(2), 352, 190, 191(2), 191(3) of the B.N.S. lodged on 12.08.2024 by the informant, Runa Devi.

3. As per the prosecution story, the informant, Runa Devi, alleged that her agnates, the named accused persons came and assaulted her. Agam Sah gave iron rod blow to her while Dilip Sah assaulted her husband. When the daughter-in-law, Shushma Devi, tried to rescue her, allegation against petitioner



no.3 is of kicking her. This led to the FIR.

4. Learned counsel for the petitioners submit that admittedly, they are agnates, certain dispute led to the present case, there is counter version also where the petitioners' side have also suffered, Shankar Sah on his own would like to contribute Rs.10,000/- (Rupees Ten Thousand) to the daughter-in-law, Sushma Devi.

5. Learned APP opposes the prayer submitting that though there is case and counter case, allegation of assault is against the accused persons.

6. Taking into account the submissions of the parties as also that the main allegation is against Agam Sah of having given iron rod blow, while the allegation against other accused persons are omnibus in nature. Though, Shankar Sah, petitioner no.3, has given fist blow to the daughter-in-law, considering the aforesaid facts and also two of the petitioners are ladies, this Court is inclined to extend their the privilege of anticipatory bail with conditions, subject to the payment of Rs.10,000/- (Rupees Ten Thousand) to the daughter-in-law, Sushma Devi by Shankar Sah to be handed over her by way of Demand draft issued by the local State Bank of India through the Trial Court after checking the credentials.



7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge-V, Jamui, in connection with Khaira P.S. Case No. 303 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner no.3, Shankar Sah shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

anand/-

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