

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31348 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- SHANKARPUR District- Madhepura

Arti Devi @ Arti Kumari Wife of Raushan Kumar Yadav @ Raushan Kumar
Resident of village -Jharkaha Ward No 14, PS- Shankarpur, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Barun Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-07-2025 Heard Mr. Barun Kumar Singh, learned counsel for
the petitioner and Mr. Jai Narain Thakur, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Shankarpur P.S. Case No. 193 of 2024, F.I.R.
dated 29.10.2024 for the offences punishable under Sections
126(2), 115(2), 76, 109, 303(2), 351(2)(3), 352 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 27.10.2024 at
around 08:00 A.M., while the informant was cutting bamboo on
his own land, the petitioner came and objected to it, made a
video of the act and tried to forcibly stop him. When he
objected, other named accused persons arrived, armed with



various weapons and began assaulting him. Surya Narayan Yadav allegedly attacked him on the head with a *dabiya* and the petitioner assaulted him with a *hasua* on his stomach. When the informant's wife came to his rescue, she was also assaulted and the petitioner snatched a gold necklace worth Rs. 21,000/- from the informant's neck.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. itself that due to some petty dispute, the present occurrence has taken place, there is case and counter case. Although, there is specific and direct allegation against the petitioner that she assaulted to the informant. In fact the informant has received injuries but the injury report of the informant suggests that the injury is simple in nature.

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

6. Considering the aforesaid facts that the petitioner has clean antecedent, there is case and counter case and injury inflicted upon the informant is simple in nature, let the



petitioner, above named, in the event of her 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 A.C.J.M.- I, Madhepura in connection with Shankarpur P.S. Case No. 193 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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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