

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32832 of 2025

Arising Out of PS. Case No.-269 Year-2024 Thana- GWALPARA District- Madhepura

1. Anita Devi @ Anita Kumari Wife of Sharwan Mandal Village -Laliya Bhita, PS- Gwalpara Dist -Madhepura
2. Manisha Devi Wife of Balo Mandal Village -Laliya Bhita, PS- Gwalpara Dist -Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivnandan Sah, Adv.
For the State : Mr. Zainul Abedin, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-07-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103(i), 3(5) of the B.N.S., 2023.

3. The allegation in the FIR is that while the informant's sister had gone for attending the call of nature at 8 PM, the FIR named accused persons including the petitioners along with 4-5 other persons caught hold of her and strangled her to death.

4. Learned counsel for the petitioners submits that it would appear from the FIR itself that there is general and omnibus allegation against five named and 4-5 unknown



persons and there is neither any eyewitness to the alleged occurrence nor a single independent witness has supported the case of the prosecution. The case is based absolutely on suspicion as the informant does not seem to be an eyewitness to the occurrence and no other witness has also given any eyewitness account of the occurrence. It is also pointed out that out of two persons arrested by the police, accused no.1, namely, Balo Mandal @ Ballu Mandal had admitted his guilt in his confessional statement and also accepted the sole responsibility of strangulating the informant's sister due to her activities which was bringing bad name to the family. It is next submitted that charge sheet has already been submitted against the two arrested persons. So far as the petitioners are concerned, they are the female members of the family and there is no specific allegation against them.

5. Learned APP for the State, however, opposes the prayer for bail.

6. Considering the entire facts and circumstances of the case and particularly the fact that both the petitioners are ladies, I am inclined to grant the privilege of anticipatory bail to the petitioners having clean antecedent. Let the petitioners, above named, in the event of their arrest or surrender before the Court



below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Gwalapara P.S. Case No.269 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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