

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33803 of 2025

Arising Out of PS. Case No.-317 Year-2024 Thana- PAKRIDAYAL District- East Champaran

1. Rupanti Devi @ Rupam Devi W/O Rakesh Rai @ Rakesh Yadav R/O Village- Kodhal, P.S.- Pakridayal, District- East Champaran.
2. Sunita Devi W/O Mukesh Yadav @ Mukesh Kumar R/O Village- Kodhal, P.S.- Pakridayal, District- East Champaran.
3. Pooja Kumari D/O Late Prahlad Rai @ Prahlad Yadav R/O Village- Kodhal, P.S.- Pakridayal, District- East Champaran.
4. Rima Devi W/O Umesh Yadav R/O Village- Kodhal, P.S.- Pakridayal, District- East Champaran.
5. Mukesh Yadav @ Mukesh Kumar S/O Late Prahlad Rai @ Prahlad Yadav R/O Village- Kodhal, P.S.- Pakridayal, District- East Champaran.
6. Rambha Devi W/O Late Prahlad Rai @ Prahlad Yadav R/O Village- Kodhal, P.S.- Pakridayal, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Krishna Kant Singh, Advocate
For the State	:	Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Shamir Mehra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-12-2025 Heard learned counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 190, 191(2), 191(3), 115(2), 117(2), 109, 76, 352 and 351(2) of the B.N.S. and later on, Section 103(1) of the B.N.S. was added.

3. At the outset, learned A.P.P. for the State and



learned counsel for the informant have submitted that the prayer for grant of anticipatory bail to Petitioner Nos. 1, 2, 4 and 5 is not maintainable as from bare perusal of Paragraph No. 56 of the case diary it is apparent that Petitioner Nos. 1, 2, 4 and 5 have been declared as absconder. In this connection, reliance is placed upon recent judgment of the Hon'ble Apex Court in the case of ***Prem Shankar Prasad versus the State of Bihar and Another*** reported in ***LL 2021 SC 579***.

4. Considering the facts and circumstances of the case, the fact that Petitioner Nos. 1, 2, 4 and 5 have already been declared as absconders and judgment of the Hon'ble Apex Court in the case of ***Prem Shankar Prasad (supra)***, the prayer for grant of anticipatory bail to Petitioner Nos. 1, 2, 4 and 5 is rejected.

5. As per prosecution case, on 14.12.2024 at about 9:20 AM, all the F.I.R. named accused persons, including these petitioners, armed with deadly weapons, came and assaulted informant and her family members due to which they sustained injuries and during course of treatment, brother-in-law (*Dewar*) of informant died.

6. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. From bare perusal of the F.I.R. it is apparent that Petitioner Nos. 3 and 6 are not the assailant of the deceased and there is no specific accusation of overt act against them. Petitioners are ladies and claim clean antecedents.

7. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of anticipatory bail to Petitioner Nos. 3 and 6.

8. Considering the facts and circumstances of the case, general and omnibus nature of accusation, fact that Petitioner Nos. 3 and 6 are not the assailant of the deceased, coupled with the facts that petitioners have got no criminal antecedents, the prayer for grant of anticipatory bail to Petitioner Nos. 3 and 6 is allowed.

9. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner Nos. 3 and 6 be enlarged 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 learned A.C.J.M.-8, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 317 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

10. With the aforesaid directions, this application



stands disposed of.

(Prabhat Kumar Singh, J)

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