

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32626 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Nitu Devi W/o Krishn Kumar Sah R/o Village- Singhiya Bujurg, Uttar
Singhiya Bujurg, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik

For the Opposite Party/s : Mr.Lalan Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bibhutipur P.S. Case No. 290 of 2024 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 74, 109, 352, 351(2) and 3(5) of BNS.

3. As per prosecution case, informant is said to have claimed that her agnates by virtue of fraud got one katha ten dhur ancestral land registered in their favour from informant's father-in-law despite the fact that petitioner is also legal heir to the said property. When informant raised objection, petitioner and others assaulted informant on head by means of lathi and danda as a result of which she sustained injury on head. It is further alleged that accused persons further assaulted



informant by brick on her back and waist and pulled her hair. It is further alleged that when informant's son came to rescue, accused persons also assaulted him by means of danda. It is also alleged that informant's purse containing Rs. 1150 was snatched.

4. Learned counsel for the petitioner submits that occurrence took place on 02.08.2024 and FIR was lodged on 08.09.2024 but the same was forwarded to the concerned court on 10.09.2025 and there is delay at each level without any plausible explanation which casts doubt on the prosecution story. There is no specific allegation against the petitioner rather the same is general and omnibus in nature. It is further submitted that injuries sustained by all the victims are simple in nature, as mentioned in the impugned order. There is a case and counter case between both the parties on the same date of occurrence and free fighting cannot be ignored. In the light of aforesaid facts and circumstances, no offence is made out against the petitioner. He further submits that petitioner is innocent and has committed no offence as alleged in the FIR. Petitioner being a lady has falsely been implicated in the case just to harass her. Apart from that, petitioner bears no criminal antecedent.



5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, petitioner being a lady having no criminal antecedent, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate Rosera in connection with Bibhutipur P.S. Case No. 290 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

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