

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34742 of 2025

Arising Out of PS. Case No.-160 Year-2024 Thana- BATHNAHA District- Sitamarhi

1. Anrogiya Devi W/o- Balit Rai Resident of Village- Ram Nagra, P.S.- Bathnaha, Dist- Sitamarhi
2. Amrita Kumari @ Amrita Devi W/o- Kamod Rai Resident of Village- Ram Nagra, P.S.- Bathnaha, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. With Mr.Ashok Kumar Jha & Mr.Kumar Rajdeep, Advocates
For the Opposite Party/s	:	Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners are apprehending arrest in connection Bathnaha P.S. Case No. 160 of 2024 registered for the offences punishable under Sections 447, 448, 341, 342, 323, 324, 307, 354, 379, 504, 506, 435, 436/34 of the Indian Penal Code.

3. As per prosecution case, there is allegation that after death of the informant's husband, the petitioners along with others used to assault the informant. On the date of occurrence, all the accused persons came at the door of the informant and assaulted the informant. Petitioner no. 1 Anrogiya Devi is alleged to have taken away the house hold articles from



the house of the informant. Petitioner no. 2 Amrita Devi is alleged to have taken away two spades and one dabiya. In the last portion of the F.I.R., it has been mentioned that on 22.04.2024 when the informant came out of her house, she saw petitioner no. 1 and others running away after setting the house of the informant on fire.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the first information report and they have been falsely implicated in this case. The allegation levelled against the petitioners are general and omnibus in nature. The specific allegation of assault is against Bilat Rai and Shravan Kumar, who are none else but the elder brother of the husband of informant and nephew respectively. The occurrence took place on 23.04.2025 when informant was assaulted and subsequently it is mentioned in the F.I.R. that on 22.04.2024 accused persons set the house of the informant on fire, but the F.I.R. has been lodged on 24.04.2025 which questions the authenticity of the prosecution story. It is further submitted that the injury sustained by the informant has been found to be simple cause by hard and blunt substance. The present case is primarily based on property dispute and in cases of property dispute facts are generally



exaggerated to make the offence graver and the genesis of property dispute has become the sole reason to implicate the petitioner in the present case. Petitioners are ladies having no criminal antecedent.

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

6. Considering the facts and circumstances of the case, keeping in view that petitioners are ladies having clean antecedent, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioners, above named, in the event of arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Sitamarhi in connection with Bathnaha P.S. Case No. 160 of 2024, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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