

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36779 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- JAMHOR District- Aurangabad

Shanti Devi, aged about 59 years, Gender-Female, W/o Ram Janam Singh,
resident of Village-Gijna, P.S- Jamhore, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-06-2025 Heard Mr. Rakesh Singh, learned counsel appearing
on behalf of the petitioner and Mr. Md. Mushtaque Alam,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jamhore P.S. Case No. 38 of 2025, registered for the
offence punishable under Sections 109, 303(2), 126(2), 115(2),
74, 333 and 3 (5) of the Bharatiya Nyaya Sanhita.

3. As per the allegation made in the FIR, petitioner
along with other accused persons had forcibly entered into the
house of the informant and had assaulted the informant and his
family members. Specific allegation against the petitioner is that
she had dragged the sister of the informant by pulling her hair.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. There is case and counter case between the parties arising out of the same incidence. A fierce fight took place between the parties and in course of the same, the petitioner may have caused some injuries to the person of the informant in her self defence without any intention. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that there is case and counter case between the parties and allegation against the petitioner of dragging the sister of the informant by catching hold of her hair appears to be general and omnibus. A fierce fight took place between the parties and in course of the same, the petitioner may have caused some injuries to the person of the informant in her self defence without any intention. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of



four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Aurangabad, in connection with Jamhore P.S. Case No. 38 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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