

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40192 of 2025**

Arising Out of PS. Case No.-394 Year-2024 Thana- SAHEBPUR KAMAL District-
Begusarai

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Rima Devi W/O Manoj Yadav R/O Khad Diyara(Khanr Diyara),PO-
Vishnupur Ahok, PS-Sahebpur Kamal,Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kumar Binode Bariar
For the Opposite Party/s : Mr. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 417-10-2025
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Sahebpur Kamal Police Station Case No. 394 of 2024, dated 30.11.2024, disclosing offences under Sections 126(2)/115(2)/118(2)/109(1)/351(1)/351(2)/352/303(2)/3(5) of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3. The prosecution case, as per the First Information Report, is that on 29.11.2024, at around 11:30 PM, the informant’s husband arrived near his house and saw that co-accused Radha Yadav was filling soil on her land which was spilling over the informant’s land. When the



informant's husband protested and asked the co-accused Radha Yadav to remove the soil from his land, in the meanwhile, the petitioner and other accused persons started abusing and assaulting him. The petitioner ordered her husband, namely, Manoj Yadav, to kill the informant's husband. Upon which petitioner's husband pulled out pistol from his waist and fired upon the informant's husband causing bullet injury on his cheek and arm.

4. Learned counsel for the petitioner submits that the petitioner is a lady and occurrence has taken place due to land dispute between the parties. He next submits that the petitioner is not an assailant and at best she is said to be the order giver. He further submits that the petitioner is having no criminal antecedent and co-accused Radha Yadav has been granted anticipatory bail by a Co-ordinate Bench of this Court on Cr. Misc. No. 24490 of 2025, dated 06.05.2025.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submits that the petitioner is an order giver and process under Section 84 and 85 of the Bhartiya Nagrik Suraksha Sanhita, 2023, has already been issued against her and



charge-sheet has also been filed submitted. He further argued that process under Section 84 and 85 of the Bhartiya Nagrik Suraksha Sanhita, 2023, was issued on 31.05.2025, thereafter, the present anticipatory bail has been filed on 18.06.2025.

6. Considering the rival submission between the parties, circumstances of the case and nature of offence and the fact that the petitioner is an order giver and before issuance of process under Section 84 and 85 of the Bhartiya Nagrik Suraksha Sanhita, 2023, the petitioner had already initiated the process for grant of anticipatory bail and her bail application before learned Trial Court was filed prior to issuance of process under Section 84 and 85 of the Bhartiya Nagrik Suraksha Sanhita, 2023, accordingly, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his 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 learned Additional Chief



Judicial Magistrate IV, Begusarai, in connection with
Sahebpur Kamal Police Station Case No. 394 of 2024,
subject to the condition laid down under Section 482 (2)
of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J)

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