

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42621 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- ALIPUR District- Gaya

Rekha Kumari W/o Nagendra Yadav R/o Village- Khutwar, P.S.- Alipur,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Alipur P.S. Case No. 179 of 2024 registered for the offences punishable under Sections 115(2), 126(2), 109, 303(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, petitioner is said to have assaulted informant's daughter by means of spade as a result of which she fell down in injured condition and became unconscious.

4. Learned counsel for the petitioner submits that injury sustained by informant's daughter is of simple nature caused by the hard and blunt substance. Petitioner is quite innocent and has committed no offence as alleged in the FIR



and he has falsely been implicated in this case. Petitioner being a lady having no criminal antecedent. Petitioner has nothing to do with the alleged occurrence. He further submits that the occurrence took place on 25.10.2024 and FIR was lodged on 28.10.2024 and the same has been sent to the learned trial court on 16.11.2024. He further submits that all the incidents i.e. date of occurrence, lodging of FIR and sending the same to the learned trial court clearly reflect that sufficient time has been taken to frame allegation against the petitioner. In the light of the facts and circumstances of the case, no offence, as alleged in the FIR, is made out against the petitioner.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that there is specific allegation against the petitioner to assault the informant's daughter and the same is supported by the injury report and hence, petitioner cannot escape from the allegation made in FIR.

6. Considering the facts and circumstances of the case, petitioner being a lady having no criminal antecedent, there is no allegation of repetition of blow against the petitioner, 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 her 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 Additional Chief Judicial Magistrate – IV, Gaya in connection with Alipur P.S. Case No. 179 of 2024, subject to the conditions as laid down under Section 482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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