

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52340 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- RUDRAPUR District- Madhubani

1. Sangeeta Devi @ Sangita Devi wife of Om Shankar Das R/o Village -Sisauni Rampur, P.S.- Rudrapur District -Madhubani
2. Om Shankar Das son of Jamun Das R/o Village -Sisauni Rampur, P.S.- Rudrapur District -Madhubani
3. Deb Shankar @ Deb Shankar Das son of Jamun Das R/o Village -Sisauni Rampura, P.S.- Rudrapur District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Abu Shajar, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Md. Abu Shajar, learned counsel for the petitioners and Mr. Ram Bilash Roy Raman, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rudrapur P.S. Case No. 123 of 2024, F.I.R. dated 19.10.2024 for the offences punishable under Sections 191(2), 190, 115(2), 118(2), 74, 76, 109, 303(2) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, it is alleged that on 05.11.2024 at about 10:00 AM, a dispute arose at Babulal Pokhar regarding use of *Chhath Ghat*, whereafter all the named



accused along with 5–7 unknown persons came to the house of the informant armed with weapons and abused her father-in-law. It is alleged that Sangita Devi assaulted the husband of the informant, Umesh Das, with a sickle, co-accused Burdur Das with a spade and Raj Kumar Mahto with a *farsa*, causing grievous head injury with intent to kill. When Bimla Devi, mother-in-law of the informant, intervened, accused Yogendra Das assaulted her with an iron rod. Thereafter, when Kala Devi came to save her, Devshankar Das, Omshankar Das and Shiv Kumar attempted to outrage her modesty and further disrobed and assaulted her. It is also alleged that Sangeeta Devi, Meena Devi and Mamta Devi snatched the *Mangalsutra* of the informant valued at Rs. 1,50,000/-. Hence, the present case.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. It appears from the F.I.R. that due to some petty dispute, the present occurrence had taken place. There is case and counter case but from a bare perusal of the F.I.R., it appears that although there is specific allegation against the petitioners that they have assaulted to the family members of the informant and informant but the injury inflicted upon injured persons is simple in nature.

5. The learned Additional Public Prosecutor for the



State has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is case and counter case and the injury inflicted upon the injured persons is simple in nature, let the petitioners, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned A.C.J.M.-III, Jhanjharpur (Madhubani) in connection with Rudra P.S. Case No. 123 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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