

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47349 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- RAMNAGAR District- West Champaran

Mala Devi W/o Prakash Ram @ Jay Prakash Ram Resident of Village-
Belaspur, P.S.-Ramnagar, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Milind Kumar Mishra, Advocate
For the State	:	Mr.Awadhesh Kumar Singh, APP
For the Informant	:	Mr. Prithvi Nath Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel appearing on behalf

of the informant.

2. In the present case, the petitioner seeks bail in

connection with Ramnagar P.S. Case No. 22 of 2025 registered

for the alleged offences under Sections 191(2), 191(3), 190,

329(3), 126(2), 115(2), 103(2), 351(2), 352 of B.N.S.

3. As per prosecution case, on 03.09.2024 the

petitioner and other co-accused persons entered into the house

of the informant and started assaulting his wife, daughter,

brother and sister-in-law. When they were being taken to

hospital, the assailants again surrounded them and assaulted



them. The son of the informant, namely, Ajay Kumar aged about 16 years, was also assaulted and he fell down and became unconscious. He was referred to Lucknow for treatment and he died on 10.10.2024.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR it is evident that altogether nine persons have been made accused in this case with general and omnibus allegation. From the FIR it is also apparent that the occurrence took place on 03.09.2024 but the FIR has been lodged on 11.01.2025 and there is no satisfactory explanation for the delay. The death of the son of the informant took place on 10.10.2024 and when the matter was not reconciled in Panchayati then it is said that the FIR has been lodged. Illegal gratification was demanded from the petitioner and others and they have been made accused for non-fulfillment of this demand. Learned counsel further submits that, moreover, the death of the son of the informant did not take place due to assault and the postmortem report shows cause of death as cardio respiratory arrest due to chronic disabilities. The postmortem report falsifies the prosecution case. These facts show that the false and concocted case has been lodged against the petitioner and co-



accused persons. The petitioner is having no criminal antecedent and she is in custody since 01.05.2025.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that in the assault by the petitioner and co-accused persons a number of persons received injury.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the general and non-specific nature of allegation against the petitioner and also considering the cause of death of the son of the informant, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Bagaha, West Champaran/concerned Court in connection with Ramnagar P.S. Case No. 22 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present



on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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