

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57660 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- JADIA District- Supaul

Punita Kumari Wife of Kundan Kumar @ Kundan Kumar Rajak Village-
Guriya Ward No 3 Ps -Jadiya District -Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate
For the State	:	Ms. Pushpa Sinha, A.P.P.
For the Informant	:	Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 118(1), 117(2), 109(1), 308(2), 352, 351(2) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a woman and the informant alleges that the accused persons were planning to kill her husband. Accordingly, she was going to inform him when Kundan assaulted her with an iron rod, causing injury on her head, and the petitioner assaulted her sister, Leela, with an iron rod, causing injury on her head.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the informant and the petitioner are related and are having a dispute relating to land. It is further submitted that, no doubt, the injury of Leela on the head has been opined to be grievous but the petitioner had not assaulted and she came to be implicated only for the reason that she is the wife of Kundan. It is further submitted that the date of occurrence is 18.04.2025 and the written application was given to the police on 22.04.2025, based on which the F.I.R. came to be instituted on 23.04.2025. It is thus submitted that, had the injured been assaulted in the manner as alleged, for which she was treated in a hospital, even the hospital would have informed the police and the *fardbeyan* of the injured or the informant would have been recorded at the hospital, but then that is not the case which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant oppose the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against this petitioner of assaulting Leela, causing grievous injury on her head.



6. At this stage, learned counsel appearing on behalf of the petitioner seeks permission to withdraw the anticipatory bail application with liberty to surrender.

7. Permission is accorded.

8. It is made clear that in the event the petitioner surrenders on or before 15.09.2025, the learned trial court shall consider and dispose of the case on the same day, keeping in mind that the petitioner is a person with clean antecedent and is a woman.

(Satyavrat Verma, J)

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