

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54514 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- PALANWA District- East Champaran

Chinta Devi W/o Sanjay Mahato R/o Village- Uchidih, P.S.- Palanwa, Dist.-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sangeet Deokuliar, Advocate
For the Informant	:	Mr. Pravin Kumar, Advocate
For the State	:	Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner, learned A.P.P.
for the State and learned counsel for the Informant.

2. The petitioner seeks bail in connection with Palanwa P.S. Case No. 65 of 2025 / G.R. Case No. 389 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 103 and 3(5) of the Bhartiya Nyay Sanhita.

3. As per prosecution case, petitioner alongwith with others armed with weapon came at the house of informant and started abusing them. It is alleged that petitioner and others concertedly assaulted the informant's brother upon his head by means of rod as a result of which informant's brother sustained head injury and Rs. 10,000/- was also snatched by them from the pocket of informant's brother. Thereafter, when informant's son



and his wife came to rescue, they assaulted informant's wife by means of bamboo stick (*danda* of bamboo) as a result of which informant's wife became unconscious. It is alleged that they assaulted informant's son and snatched gold chain from his neck. It is alleged that informant's brother was taken to Duncun Hospital, Raxaul for treatment.

4. Learned counsel for the petitioner submits that petitioner being a lady having no criminal antecedents rotting in jail custody since 26.04.2025. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel submits through paragraph 11 of the instant petition that postmortem report indicates that the injured person has sustained only two injuries whereas the allegation of assault is attributed against five FIR named accused persons. He further submits that no specific role is attributed against the petitioner.

5. The learned counsel for the Informant as well as learned A.P.P. for the State opposed the prayer for bail of the petitioner by submitting that petitioner and others concertedly assaulted the informant's brother as a result of which during the course of treatment informant's brother died, as mentioned in impugned order. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the



case, period of custody, petitioner being a lady having no criminal antecedent, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on 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 S.D.J.M., Raxaul at Motihari, East Champaran in connection with Palanwa P.S. Case No. 65 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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