

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63405 of 2025**

Arising Out of PS. Case No.-1189 Year-2023 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

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Babita Devi Wife of Vikash Ram R/o Village - Natwar Khurd, P.S.- Natwar,
District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Devi Wife of Bimal Kumar Ram @ Vimal Kumar Ram @ Bimal Ram
@ Vimal Ram D/o- Surendra Ram, R/o Village - Natwar Khurd, P.S.-
Natwar, District - Rohtas. At present R/o Village - Konar, P.S.- Shivsagar,
District - Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy
For the Opposite Party/s : Mr.Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 10-09-2025 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in
connection with Complaint Case No. 1189 of 2023 for the
offences punishable under Sections 323, 498A of the Indian
Penal Code and Section 3/4 of the D.P. Act.

3. According to prosecution case, the complainant
married Vimal Kumar Ram alias Bimal Kumar on 04.06.2013.
At the wedding, her husband's brother demanded ₹1,00,000, but
with help from well-wishers, the marriage was completed.



Afterward, her sister-in-law Babita Devi (petitioner) insulted her family as poor for not paying the amount. The complainant had three children (one daughter, two sons). On 06.11.2023, she alleged that her husband went into Babita Devi's room. When she questioned and asked to open the door, Babita Devi opened it after five minutes, pulled her hair, pushed her to the ground, and kicked her. Vimal Kumar Ram also assaulted her, and together they snatched her ornaments. Vikash Ram also beat her. She then went to her parental home and narrated the incident to her parents.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated due to oblique motive and it is the case of the petitioner that this marriage was solemnized in the year 2013 and the complainant was living with her in-laws house till 06.11.2023 but in between she has not raised any complaint and all of a sudden, she filed a complaint against the petitioner. It has further been submitted that the petitioner has no concern with the complainant and her husband and though they are living in joint property but they have different mess and there is no concern with the day to day affairs of the complainant and as such, the allegations levelled against the petitioner, as per the F.I.R., cannot be found to be



correct. It has further been submitted that mediation between the complainant and her husband is already going on with the intervention by this Hon'ble Court vide order dated 30.08.2025 passed in Cr. Misc. No.58031 of 2025.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts that there is no specific allegation against the petitioner and though they are living together but in separate mess and have no concern with the day to day affairs and there is also a mediation case going on between the husband of the complainant, let the petitioner, above named, in the event of her 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) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Rohtas, in connection with Complaint Case No. 1189 of 2023, 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) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official



document to show his/her bona fide;

ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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