

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61981 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- PARAIYA District- Gaya

1. Fulmaniya W/O Jamuna Yadav Resident Of Villlage- Koshdihla, P.s.- Paraiya, Dist.- Gaya
2. Shushila Devi W/O Mithlesh Yadav Resident Of Villlage- Koshdihla, P.s.- Paraiya, Dist.- Gaya
3. Manika Kumari @ Manik Kumari W/O Mukesh Kumar Resident Of Villlage- Koshdihla, P.s.- Paraiya, Dist.- Gaya
4. Sunita Devi W/O Amresh Yadav @ Amrendra Yadav Resident Of Villlage- Koshdihla, P.s.- Paraiya, Dist.- Gaya
5. Indu Kumari W/O Jugesh Kumar Resident Of Villlage- Koshdihla, P.s.- Paraiya, Dist.- Gaya
6. Permila Devi W/O Pintu Kumar Resident Of Villlage- Koshdihla, P.s.- Paraiya, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-09-2025 Heard Mr. Aryan Singh, learned counsel for the

petitioners and Mr. Sanjay Kumar Sharma, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Paraiya P.S. Case No. 237 of 2024, F.I.R. dated 04.08.2024 for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 324(2), 125(9), 303(2), 74, 352, 351(2), and 3(5) of the Bharatiya Nyay Sanhita, 2023.



3. According to prosecution case, the informant alleged that when she was getting constructed his house then the petitioners arrived and started vandalizing informant's under construction work and when the informant and her family members protested then the accused persons abused and assaulted them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from bare perusal of the FIR it appears that there is no specific allegation of assault or overt act against them rather specific allegation of assault is against Mithilesh Yadav and apart from that the present occurrence took place on 17.07.2024 but the FIR was lodged on 04.08.2024 i.e. after delay of almost a month, after thought only to falsely implicate the petitioner in the present case and the present case is counter blast of Paraiya P.S. Case No. 235 of 2024 filed by the petitioner no.6 against the informant and their family members.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent and there is no specific allegation of assault or overt act against them and



there is case and counter case between the parties, let the petitioners, above named, in the event of 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 Judicial Magistrate, First Class, Gaya in connection with Paraiya P.S. Case No. 237 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 tampers 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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