

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61542 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- Lalamnia District- Madhubani

1. Nitu Kumari @ Nitu Devi D/o Surya Narayan Yadav
2. Bimla Devi W/o Surya Narayan Yadav
3. Surya Narayan Yadav S/o Late Mahim Lal Yadav
4. Dilprit Yadav S/o Ram Kumar Yadav
All are R/o Village- Malin, P.S.- Lalmaniya, District- Madhubani
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-09-2025 Heard Mr. Hriday Narayan Harshit, learned counsel
appearing on behalf of the petitioners and Mr. Ram Sumiran
Rai, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Lalmaniya P.S. Case No. 16 of 2025 for the offence(s)
punishable under Sections 191(2), 191(3), 126(2), 115(2), 109,
303(2), 352, 351(2), 74 of the BNS.

3. As per the allegation made in the FIR, all the
accused persons including the petitioners with a common
intention to kill the informant, his father and his mother,
assaulted, causing grievous injuries on the vital part of the body
of the informant.

4. Learned counsel appearing on behalf of the



petitioners submitted that there is case and counter case between the parties, arising out of same incidence. Both the parties sustained injuries. Petitioners in their self-defence may have caused some injury on the persons of the informant and his family members, who were also on the attacking mode on the petitioners' side. Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, it is evident that both the parties entered into fierce fight, in which, petitioners in their self-defence may have caused some injury on the persons of the informant and his family members. General and omnibus allegation has been levelled against petitioners no.2, 3 and 4. So far as petitioner no.1, Nitu Kumari is concerned, allegation against her is that she along with Shailendra Yadav had assaulted the informant but it is not specific that the informant sustained injury because of assault by Nitu Kumari. I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Jhanjharpur, District, Madhubani/Concerned Court in connection with Lalmaniya P.S. Case No. 16 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases, as what has been stated in para 3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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