

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63791 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- Patarghat District- Saharsa

1. Pranmati Devi @ Pranwati Devi W/o- Sanjay Sharma, R/o Village- W. No-12, Laxmipur PS- Patarghat, Dist- Saharsa.
2. Phudni Devi @ Phudo Devi W/o- Dharendra Sharma @ Dhiren Sharma, R/o Village- W. No-12, Laxmipur, PS- Patarghat, Dist- Saharsa.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Nafisu Zzoha, Advocate
For the State	:	Ms. Pronoti Singh, APP
For the Informant	:	Mr. Abhimanyu Kumar, Adv., Auin- 104547/21

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-12-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Patarghat P.S. Case No. 43 of 2025 dated 25.03.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 308(2), 91, 351(2), 352 and 74 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the petitioners assaulted the pregnant informant causing death of the child in her womb. The dispute arose over a petty matter of uprooting of garlic from the land of the informant.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are ladies and they have falsely



been implicated in the present case. The date of occurrence is 23.03.2025 and FIR was registered on 25.03.2025 and it shows after thought and deliberation. The true fact of the case is that informant gave birth to twins on 25.03.2025 and the twins died in the hospital. It shows the petitioners are innocent and taking advantage of the death of twin children in the womb, the informant has lodged this false case. Learned counsel further submits that informant was in advanced stage of pregnancy at the time of occurrence. She went for treatment at Sadar hospital, Madhepura, but she did not make any complaint about any physical assault and it shows the allegation has been lodged with false averment. Moreover, the *post-mortem* report also does not show that death of the child in the womb has resulted from any assault. Learned counsel next submits that petitioners are having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioners are in custody since 21.07.2025.

5. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant oppose the submissions made on behalf of the petitioners. Learned counsel for the informant submits that there is specific allegation against the petitioners that they caused the death of the children of the informant in the womb.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the *post-mortem* report and further considering petitioners' clean antecedent, their period of custody and submission of chargesheet, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa / concerned Court, in connection with **Patarghat P.S. Case No. 43 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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