

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65550 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- KORHA District- Katihar

1. Guniya Devi @ Urmila Devi, W/o Uday Lal Mahto;
2. Rinku Devi, W/o Gajadhar Mahto;
Both are R/o Village- Rajiganj, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Nandan, Adv.
For the Informant : Mr. Mukesh Kr. Jha, Adv.
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-09-2025 Heard the learned counsel for the petitioners and the learned counsel for the informant. The State has been represented by the learned A.P.P.

2. The petitioners are apprehending their arrest in connection with Korha P.S. Case No. 124 of 2025 registered for the offence(s) under Section(s) 126(2), 115(2), 118(1), 329(4), 109, 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).



3. As per the prosecution case, the informant has alleged that all the nine named accused persons entered into his house and assaulted his son with iron rod and *Danda*, causing grievous injury to him. It has been alleged that one Sumrit Mahto also fired shot at the informant's house and thereafter, they all fled-away. It has further been alleged that the son of the informant was taken for treatment and subsequently, during course of treatment, he died.

4. The learned counsel for the petitioners submits that the petitioners are the two lady members of the accused side and they have falsely been implicated in this case with no specific allegation against them. It has been submitted that the incident, as alleged, had not occurred and, in fact, the deceased had fallen down and had injured himself. It has further been submitted that the occurrence is of 11.05.2025, but the FIR was lodged after a delay of four days, *i.e.*, on 15.05.2025. It has lastly been submitted that the petitioners are ladies and have no criminal antecedents.

5. The learned counsel for the informant as also the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners. The learned counsel for the informant has submitted that the petitioners



along with seven other accused persons entered the house of the informant and started assaulting brutally the son of the informant, without any motive.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties as also taking into account the fact that petitioners are ladies, let the petitioners, above-named, be released on anticipatory bail, in the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Korha P.S. Case No. 124 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present before the concerned Court/successor Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions



or in violation of the terms of the bail, the bail-bonds of the petitioners will be liable to be cancelled by the concerned Court/successor Court.

(iv) If the petitioners, in future, are found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of their bail-bonds.

(v) The concerned Court/successor Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that they have concealed their criminal antecedent, the Court concerned shall take necessary steps for cancellation of their bail-bonds. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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