

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71714 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- Bhelahi District- East Champaran

1. Rekha Devi W/o Radhe Shyam Rai R/O Village- Anand Sagar, Gamharia
(Pipariya), P.S.-Bhelahi, District- East Champaran
2. Kanti Devi W/O Chhotelal Rai R/O Village- Anand Sagar, Gamharia
(Pipariya), P.S.-Bhelahi, District- East Champaran
3. Anita Devi W/O Pratap Rai Nat R/O Village- Anand Sagar, Gamharia
(Pipariya), P.S.-Bhelahi, District- East Champaran
4. Nagwanti Devi W/O Shyam Sundar Rai Nat R/O Village- Anand Sagar,
Gamharia (Pipariya), P.S.-Bhelahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-10-2025 Heard both sides.

2. The petitioners seek anticipatory bail in connection with Bhelahi P.S. Case No. 48/2025 dated 04.05.2025 registered for the offence under Sections 1190, 191(2), 191(3),126(2). 115(2), 117(2), 109, 76, 132, 121(1), 121(2), 221, 324 (3), 324(6), 111(2) of the BNS.



3. As per prosecution case, the informant after constituting a team proceeded for apprehending the accused of Areraj P.S. Case No.77/2025, namely, Radheshyam Rai and when the said persons was taken into custody, a mob of 50 to 55 persons unlawfully gathered and tried to release the aforesaid accused person from the custody of police and attacked the police party.

4. The learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence as alleged in the F.I.R. They have merely been shown to be the members of mob and they have nothing to do with the alleged occurrence. It has further been submitted that all the petitioners are ladies having no criminal antecedents. It is further submitted similarly situated co-accused, namely, Nanhak Ray has already been granted the privilege of anticipatory bail vide order dated 09.10.2025 passed by a coordinate Bench of this Court in Cr. Misc. No. 71581 of 2025 and on the principle of parity, the petitioners also deserve anticipatory bail. Learned counsel for the petitioners has also submitted that there was no visible injury on the body of the victim as evident from annexure -2 series. Learned counsel for the petitioner submits that in the light of the aforesaid facts and circumstances, no



offence as alleged in the F.I.R. is made out against them.

5. Learned APP vehemently opposed the prayer for bail, as the petitioners have been named by the concerned Chowkidar that they have participated in the occurrence.

6. Considering the facts and circumstances of the case, as also the fact that the petitioners are ladies having no criminal antecedents and one of the co-accused having similar allegation has been granted anticipatory bail, the petitioners, above named, are also directed to be released on bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Bhelahi P.S. Case No. 48/2025, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Alok Kumar Pandey, J)

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