

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73199 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- KOTWA District- East Champaran

1. Asha Devi @ Kaushailya Devi Wife of Late Ramakant Ram Resident of Village-Gaadhwa ,P.S-Kotwa,District-East Champaran
2. Nirmala Kumari Daughter of Late Ramakant Ram Resident of Village-Gaadhwa ,P.S-Kotwa,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vijay Shankar Shrivastava, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-11-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(1), 115(1), 117(1), 109(1) and 3(5) of the B.N.S. and later on, Section 103(1) of the B.N.S. was added.

3. The prosecution case, in brief, is that on 08.04.2025 at about 6 PM, all the F.I.R. named accused persons, including these petitioners, armed with *lathi*, assaulted wife of informant, namely *Muni Devi*, due to which, during course of treatment, wife of informant died.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and



have committed no offence. As a matter of fact, on account of land dispute, all the F.I.R. named accused persons, including these petitioners, have falsely been implicated in this case. From bare perusal of the F.I.R. it is apparent that these two petitioners are only alleged to have assaulted the deceased with their legs. Specific accusation of assaulting the deceased with *lathi* is against other co-accused persons. As a matter of fact, the deceased died a natural death. As per *post mortem* report, no external injuries were found on the body of the deceased, which itself falsifies the entire prosecution case and cause of death has been opined as intra cranial haemorrhage and its complications. It is lastly submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 10.11.2025 passed in Cr. Misc. No. 75411 of 2025. Petitioners are ladies and claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity, materials that have surfaced during course of investigation and clean antecedents of the petitioners, the prayer



for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged 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 learned C.J.M., Motihari, East Champaran in connection with Kotwa P.S. Case No. 132 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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