

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76383 of 2025

Arising Out of PS. Case No.-467 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

Usha kumari @ Usha Devi W/o Mithlesh Kumar @ Mithlesh Kumar Shah
R/o - Ayodhya Nagar Methwaliya, P.S - Muffasil, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his/her arrest in connection with Chapra (M) P.S. Case No. 467 of 2025, dated 16.08.2025, registered under Sections 126(2), 115(2), 109, 303(2), 352, 3(5) of the B.N.S.

3. The prosecution case, in brief, is that on 13.08.2025, at around, 9:30 AM, accused persons, were throwing garbage in front of the informant's house. On objection, accused persons started abusing the informant and accused Mithlesh Kumar caught him and accused Usha Devi assaulted him with daab on the head, thereby, causing injury to



him. Further, accused Mithlesh Kumar snatched gold chain from the neck of the informant and also took away Rs. 2500.

4. Learned counsel for the petitioner submits that owing to dispute arising from throwing garbage in front of the informant's house, through which bad smells coming out during rainy season from the said garbage, is the reason behind the incident. The petitioner, who is a lady, is alleged to have assaulted the informant. However, there is counter version of the occurrence being Mufassil P.S. Case No. 466 of 2025, dated 14.08.2025, registered under Sections 126(2), 115(2), 351(2) and 352 of the B.N.S., which has been registered by the petitioner herself. It has also been submitted that in order to save their skin, the instant case is said to have been registered by the informant against this petitioner, in which the petitioner and her husband has been roped with ulterior reason. It has next been submitted that the injury report, which is appended with the anticipatory bail application shows that the injuries are simple in nature.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts that there is case and counter case between the parties, this petitioner is said to have registered a case against the informant and thereafter the instant case has been registered against the petitioner and her husband and the injury



received by the informant is simple in nature, let the above named petitioner, be released on anticipatory bail, in the event of his/her arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the learned Judicial Magistrate, Ist Class, Saran at Chapra in connection with Chapra (M) P.S. Case No. 467 of 2025, subject to the condition as laid down under Section 482 of the B.N.S as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner (s) who shall provide official document to show his/her bona fide;

(ii) the petitioner (s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner (s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner (s) shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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