

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80210 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- VAISHALI District- Vaishali

Sunita Devi, W/o- Vashisht Thakur, R/o Village- Nagawan, PS-Belsar OP
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Vaishali (Belsar O.P.) P.S. Case No. 228 of 2025 registered for the
offence punishable under Sections 137(2), 87, 115(2), 351(2) and
3(5) of the B.N.S.

3. The case of the prosecution is that one Avinash
Kumar has kidnapped the minor daughter of the informant. It is
further alleged that when the informant went to complain at the
house of Avinash Kumar, his family members along with the
petitioner have assaulted and threatened the informant with dire
consequences.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is a lady aged about 72 years. She has falsely



been implication this case. Her name has surfaced in the second part of the F.I.R. where only allegation is that of slapping and threatening. Main allegation is against Avinash Kumar who is not the petitioner. She is having no criminal antecedent and she is languishing in judicial custody since 05.07.2025.

5. Learned APP appearing for the State has vehemently opposed the application for bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 228 of 2025.

7. It is disheartening to note that in the cases where there is only allegation of slapping and threatening even a Judicial Officer in the cadre of A.D.J. is not using discretion and in mechanical way rejecting the prayer for bail despite the nature of allegation beingailable.

(Ashok Kumar Pandey, J)

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