

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79513 of 2025

Arising Out of PS. Case No.-168 Year-2025 Thana- PANDAUL District- Madhubani

1. Sundar Jha @ Sundar Kant Jha S/O Late Shiv Narayan Jha R/o - Jamsham, Yamsam, P.S - Pandaul, District - Madhubani.
2. Asha Devi W/O Sundar Jha @ Sundar Kant Jha R/o - Jamsham, Yamsam, P.S - Pandaul, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Heard Mr. Sanjay Kumar Jha, learned counsel for the petitioners and Mr. Vinod Shanker Modi, learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners submits that during pendency of the present bail application the petitioner no. 1, namely, Sundar Jha @ Sundar Kant Jha has been arrested. So the present application with respect to petitioner no. 1 has become infructuous. Hence, he seeks permission to withdraw the present application with respect to petitioner no. 1.

3. Permission is accorded.

4. Accordingly, the present application is dismissed as withdrawn as having become infructuous with respect to



petitioner no. 1.

5. The petitioner no. 2 is apprehending her arrest in connection with Pandaul P.S. Case No. 168 of 2025, F.I.R. dated 30.07.2025 for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 74, 352, 351(2) and 3(5) of the BNS, 2023.

6. According to prosecution case, all the accused persons including this petitioner armed with deadly weapons started abusing and assaulting the informant. When informant's son and daughter came to rescue her then Ajit Jha stabbed a knife on his chest and Rakesh Jha tried to outrage the modesty of her daughter and Sundar Jha assaulted her another daughter by means of iron rod due to which all of them received injuries.

7. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated. From perusal of the F.I.R it appears that the F.I.R is in two parts. According to part one, there is general and omnibus allegation against all the accused persons including this petitioner and according to part two, there is specific allegation of assault against the co-accused persons, namely, Ajit Jha, Rakesh Jha and Sundar Jha and there is no



specific allegation of assault against this petitioner. He further submits that the injury inflicted upon the injured person is simple in nature.

8. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

9. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation of assault against this petitioner and the injury received by the injured person is simple in nature, let the petitioner no. 2, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No. 168 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient



reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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