

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79575 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- RAJAON District- Banka

Khushbu Kumari @ Khushbu Devi Wife of Niranjn Sah Resident of Village
- Lauhariya Gopalpur, P.S. - Rajoun, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Heard Mr. Brij Nandan Prasad, learned counsel
for the petitioner and Mr. Ram Naresh Ray learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Rajoun P.S. Case No. 192 of 2025, F.I.R. dated 26.04.2025 for the offences punishable under Sections 115(2), 126(2), 132, 126(2), 351(2), 352, 110, and 3(5) of the BNS, 2023.

3. According to prosecution case, all the accused persons including this petitioner pelted stones upon the Circle Officer, Rajoun, Circle Banka creating hindrance in discharging the public duty when she came to remove the encroachment.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. Although the petitioner is named in the F.I.R but



from perusal of the F.I.R it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather the same is against all the accused persons that they have obstructed the discharge of duty and there is general and omnibus allegation against the petitioner. He further submits that the similarly situated co-accused, namely, Bam Bam Yadav and others have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 10.09.2025 passed in Cr. Misc. No. 61346 of 2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation of assault against the petitioner and the similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, 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, Banka in connection with Rajoun P.S. Case No. 192 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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