

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81231 of 2025

Arising Out of PS. Case No.-252 Year-2025 Thana- BHARGAMA District- Araria

Arti kumari Wife of Wakil Sharma @ Wakil Sharma Resident Of Village
-Aadirampur, Ward No 06, Police Station -Bhargama District -Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Bhargama P.S. Case No. 252 of 2025 registered for the alleged offences under Sections 126(2), 115(2), 118(1), 109, 103(1), 3(5) of B.N.S.

3. As per prosecution case, in the background of stealing of Moong crop from the land of the informant, she went to scold co-accused Babiya Devi where she was assaulted by the co-accused. When the son of the informant went to inquire, he was assaulted by the petitioner and other co-accused persons with *Farsa*, *iron rod*, *lathi* and *danda* and the son of the informant died on spot.

4. Learned counsel for the petitioner submits that the



specific allegation for assaulting the son of the informant is against co-accused Rupesh Kumar @ Rupa Kumar and Wakil Sharma by *Farsa* and *iron rod*. There is no specific allegation of assault against the petitioner. From the postmortem report it transpires cause of death was assault with sharp cutting weapon for which the allegation is against co-accused. The petitioner is having clean antecedent. The petitioner is in custody since 18.07.2025 and charge sheet has been submitted. Learned counsel further submits that similarly placed co-accused Raushan Mandal has been granted bail by a Co-ordinate Bench vide order dated 26.11.2025 passed in Cr. Misc. No. 81483 of 2025.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no specific allegation against the petitioner for assaulting the deceased and further considering the period of custody of the petitioner, her clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Judicial Magistrate, Ist Class, Araria/concerned Court in connection with Bhargama P.S. Case No. 252 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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