

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1891 of 2025

Arising Out of PS. Case No.-218 Year-2024 Thana- PIPRA District- East Champaran

1. Nirmala Devi W/o Vishwakarma Mahto Resident Of Village- Sahsi Jagiraha, Ps- Pipra, Dist - East Champaran
2. Vishwakarma Mahto S/o Late Naresh Mahto Resident Of Village- Sahsi Jagiraha, Ps- Pipra, Dist - East Champaran
3. Chuman Mahto S/o Vishwakarma Mahto Resident Of Village- Sahsi Jagiraha, Ps- Pipra, Dist - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 23-04-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 303(2), 352, 109, 75 and 3(5) of B.N.S., 2023.

3. The allegation in the First Information Report with regard to these petitioners is of assaulting one Pinki Devi, the daughter of the informant, with lathi and bricks and the specific allegation with regard to petitioner no.1, namely, Nirmala Devi is that she has snatched *mangalsutra* from the neck of the said



Pinki Devi.

4. Learned counsel for the petitioners submits that a number of allegations have been made in the FIR in a general fashion. As a matter of fact, there is a partition suit, i.e, Civil Suit No. 109/2007 running between the parties and the same is still pending in the Court of learned Sub Judge-III, Motihari, East Champaran. The present case is a result of a quarrel between the parties with regard to the disputed suit land and it is further submitted that the petitioner no.2 has also filed a complaint case against the informant's side bearing Complaint Case No. 2258 of 2024. It is further submitted on behalf of the petitioner that the injury report of the said Pinki Devi would go to show that she has received only one injury which is in the nature of a bruise over the back and the same is simple in nature caused by hard and blunt substance.

5. Learned APP for the State opposes the prayer for anticipatory bail, besides others, on the ground that the petitioners have criminal antecedent. In response to the same, learned counsel for the petitioner submits that petitioner no.2 has one criminal antecedent in which he is on bail, whereas petitioner nos. 1 & 3 have no criminal antecedent.

6. Taking into consideration the general and omnibus



nature of allegations, I am inclined to grant the privilege of anticipatory bail to the petitioners. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sadar Motihari, East Champaran in connection with Pipra P.S. Case No. 218 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

7. The learned Court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para 3 of the bail application, this order will automatically loose its force.

(Soni Shrivastava, J)

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