

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2628 of 2026

Arising Out of PS. Case No.-29 Year-2024 Thana- MALAHI District- East Champaran

1. Mona Devi @ Meena Devi, W/O Sipahi Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
2. Sipahi Yadav, S/O Late Hardev Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
3. Kishore Yadav @ Raj Kishore Yadav, S/O Sipahi Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
4. Bunel Yadav, S/O Sipahi Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
5. Ram Lall Yadav, S/O Sipahi Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
6. Antima Devi, W/O Kishore Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
7. Reeta Devi @ Rita Devi, W/O Jitendra Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.
8. Geeta Devi, W/O Gallu Yadav R/O Village- Pandey Tola Ahir Toli, P.S- Malahi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 28-01-2026 At the outset, learned counsel for the petitioners



submits that during the pendency of the application, petitioner no.2, namely, Sipahi Yadav, has been arrested and as such, the present application against petitioner no.2 has become infructuous.

2. In view of the submission made by the learned counsel for the petitioners, the application stands dismissed as withdrawn as having become infructuous against petitioner no.2, namely, Sipahi Yadav.

3. Now, the anticipatory bail application survives only for the petitioners nos. 1, 3, 4, 5, 6, 7 and 8, namely, Mona Devi @ Meena Devi, Kishore Yadav @ Raj Kishore Yadav, Bunel Yadav, Ram Lall Yadav, Antima Devi, Reeta Devi @ Rita Devi and Geeta Devi respectively.

4. Heard learned counsel for the petitioner and learned A.P.P. for the State.

5. Petitioners apprehend their arrest in connection with Malahi P.S. Case No.29 of 2024 registered for the offences under Sections 126(2), 115(2), 118(1), 117(2), 76, 303(2), 109, 351(2), 352 and 3(5) of the I.P.C.

6. As per the prosecution case, the informant has alleged that all the eight named accused persons/petitioners connived together and they abused and assaulted on the head of



the son of the informant and also snatched away gold ornaments.

7. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and no such occurrence as stated has occurred. It has further been submitted that there was case and counter case for the said same occurrence and even the petitioners' side had suffered injuries. It has next been submitted that there is a land dispute between both the parties and scuffle has taken place and subsequently, with the intervention of a well-wisher, the parties have also entered into a compromise and a petition dated 22.03.2025 has been filed before the Court of learned Judicial Magistrate 1st Class, Motihari and all the petitioners carry clean antecedent.

8. Learned APP for the State has opposed the prayer for anticipatory bail.

9. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners nos. 1, 3, 4, 5, 6, 7 and 8, namely, Mona Devi @ Meena Devi, Kishore Yadav @ Raj Kishore Yadav, Bunel Yadav, Ram Lall Yadav, Antima Devi, Reeta Devi @ Rita Devi and Geeta Devi respectively be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Malahi P.S. Case No.29 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

10. Accordingly, the prayer for anticipatory bail is



allowed.

11. It is made clear that the observation, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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