

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9182 of 2026

Arising Out of PS. Case No.-403 Year-2025 Thana- Sahayak Khajanchi District- Purnia

1. Md. Rinku S/O Md. Majid R/O Vill.- Madhopara Das Tola, P.S.- Sahayak, District- Purnea
2. Md Shahbaz S/O Md. Majid R/O Vill.- Madhopara Das Tola, P.S.- Sahayak, District- Purnea
3. Marjina Khatoon W/O Md. Majid R/O Vill.- Madhopara Das Tola, P.S.- Sahayak, District- Purnea

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate

For the State : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 30-04-2026 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. At the very outset, Mr. Ram Prawesh Kumar, learned counsel for the petitioners, seeks permission to withdraw this application with regard to petitioner no.2, submitting that during pendency of this application, he has already been apprehended by the police. Further, he prays to withdraw this application with regard to petitioner no.1 also in order to surrender and seek regular bail before the learned Court below.

3. Permission is accorded.

4. Accordingly, this application is dismissed as withdrawn with regard to petitioner nos.1 and 2.

5. However, if the petitioner no.1 surrenders before the learned



Court below within a period of four weeks and seeks regular bail, his prayer would be considered by the learned Court concerned on its own merit without being prejudiced by this withdrawal order.

6. Now, this application survives only for petitioner no.3.

7. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 351(2) and 3(5) of the B.N.S.

8. Petitioners are said to have assaulted the informant by means of knife, iron rod, lathi and danda.

9. It is submitted by learned counsel for the petitioners that petitioner nos.1 and 2 are step sons, while petitioner no.3 is the second wife of the informant. He has further submitted that due to family feud the said incident occurred and general and omnibus allegation of assault is upon petitioner nos.1 and 2, while petitioner no.3 is the order giver. There is one injury which is serious in nature but the petitioner no.3 is not the author of the said injury. He has further pointed out that a compromise has taken place between the parties and the informant does not want to pursue the case any further.

10. Learned APP for the State opposed the prayer for bail.

11. Taking into consideration the facts and circumstances



of the case and also considering the fact that there is no allegation of assault upon petitioner no.3, coupled with the fact that she is a lady and has no criminal antecedent, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) 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 Sahayak Khazanchi P.S. Case No. 403 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

12. It is, however, made clear that while considering the regular bail of the petitioner nos.1 and 2, the learned Court below would take into consideration the relationship between the parties and further that the parties have compromised the issue.

(Soni Shrivastava, J)

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