

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10346 of 2026

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

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Babiya Devi @ Pabiya Devi @ Babiya Wife of Balo Sharma Resident of
Village- Aadirampur, Ward No. 06, P.S.- Bhargama, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate
For the State : Mr. Aditya Narayan Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-04-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends her arrest in a case
registered for the offence punishable under Sections 126(2),
115(2), 118(1), 109, 103(1) and 3(5) of the B.N.S..

3. As per prosecution case, all the F.I.R. named
accused persons, including this petitioner, assaulted the son of
informant by means of various deadly weapons as a result of
which, he died on the spot.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. From bare perusal of the F.I.R. it is
apparent that specific accusation of assaulting son of informant



with *Farsa* is against co-accused Rupesh Kumar and so far as this petitioner is concerned, there is absolutely no allegation of assault or any other overt act against her. Even as per *post mortem* report, doctor has found only one injury on the person of deceased which was caused by sharp-cut weapon, which is attributable to co-accused Rupesh Kumar. Thus, allegations levelled against this petitioner stands contradictory and falsified by the *post mortem* report. No other external injury was found on the person of deceased. It is further submitted that similarly situated co-accused person, namely Vakil Kumar, has already been granted privilege of anticipatory bail by this Hon'ble Court vide order dated 09.12.2025 passed in *Cr. Misc. No. 85128 of 2025*. Petitioner is a lady and claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named



petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Araria in connection with Bhargama P. S. Case No. 252 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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