

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11658 of 2026

Arising Out of PS. Case No.-226 Year-2025 Thana- BAGHA District- West Champaran

Mahima Kumari W/O Late Ram Lakhon Kushwaha R/O Village- Chandi
Sthan Malahi Tola, P.S- Bagaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Bhanu Pratap Singh, APP
For the Informant :	Mr. Prithvi Nath Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-04-2026 Heard Mr. Milind Kumar Mishra, learned counsel for the petitioner, Mr. Prithvi Nath Mishra, learned counsel for the informant and Mr. Bhanu Pratap Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 02.09.2025 in connection with Bagaha P.S. Case No. 226 of 2025, F.I.R. dated 14.08.2025 for the offences punishable under Sections 103(1) and 3(5) of the BNS, 2023.

3. According to prosecution case, the informant alleged that his brother has been killed by some unknown persons by means of deadly weapons.

4. Learned counsel for the petitioner submits that petitioner is innocent and she has falsely been implicated in the



present case. It appears from the FIR that the petitioner is not named in the FIR and her name has been transpired during investigation. Thereafter, the petitioner has herself confessed her guilt in the present occurrence. It appears from the confessional statement of the petitioner as well as of other accused persons that co-accused Disher Ali has assaulted over the head of the deceased by means of iron rod and co-accused Bhulai Miyan has cut the neck of the deceased and thereafter, the petitioner has also assaulted the deceased after his death by means of iron rod. He further submits that it appears from the FIR that the specific allegation is against the co-accused persons, namely, Dilsher Ali and Bhulai Miyan and except the confessional statement of the petitioner as well as of co-accused, nothing has come during investigation which suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 02.09.2025.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has herself confessed her guilt in the present occurrence. Apart from that the arms and ammunition have been



recovered from the room of the petitioner for which a separate case bearing Bagaha P.S. Case No. 227 of 2025 was instituted. Learned counsel for the informant further submits that regular bail application of the co-accused, namely, Dilsher Ali has been rejected by this Court vide order dated 10.04.2026 passed in Cr. Misc. No. 12615 of 2026 and bail application of co-accused, namely, Bhulai Miyan has also been rejected by this Court vide order dated 30.03.2026 passed in Cr. Misc. No. 85991 of 2025.

6. Considering the aforesaid facts and circumstances and taking into consideration the fact that the petitioner is a lady and there is no specific allegation against her, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Bagaha West Champaran in connection with Bagaha P.S. Case No. 226 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

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