

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21748 of 2026**

Arising Out of PS. Case No.-232 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

Sanchu Kumar S/O Rajaram Yadav R/O Village- Kumar Chakki @ Kumhar
Chakki Ward No.-8, P.S- Muffasil Khagaria, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

3 01-05-2026 Heard learned counsel for the petitioner, learned APP
for the State, and learned counsel for the informant.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending her arrest in connection with S. Kamal P.S. Case No. 232 of 2025, instituted for the offences punishable under Sections 126(2), 115(2), 352, 351(1) & (2), 109 and 3(5) of the BNS, and Section 27 of the Arms Act.

3. The case of the prosecution, in brief, is that while the informant's husband, along with his uncle, was entering his house, nine named accused persons, including the petitioner, allegedly armed with country-made weapons, started abusing them. Upon objection, it is alleged that Allah Yadav and Ankit



Yadav fired at the informant's husband, and the bullet passed through his ear.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that, from the perusal of the F.I.R., although the petitioner has been named, there is no allegation of any overt act against her, and she has merely been implicated as a member of the alleged unlawful assembly. Hence, no prima facie case is made out against her.

5. Countering the same, learned counsel for the informant submits that, from the perusal of paragraph 105 of the case diary, it transpires that process under Sections 84 and 85 of the BNSS has already been issued against the petitioner. Therefore, the present application for anticipatory bail is not maintainable.

6. Considering the aforesaid facts and circumstances of the case, particularly the issuance of process under Sections 84 and 85 of the BNSS, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected as not maintainable.

7. However, the petitioner is directed to surrender before the learned trial court within a period of four weeks from



today and seek regular bail. In the event of such surrender, the learned trial court shall consider her prayer for regular bail on its own merits, without being prejudiced by the observations made herein, and keeping in view the nature of the allegations.

(Ashok Kumar Pandey, J)

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