

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21828 of 2026

Arising Out of PS. Case No.-121 Year-2025 Thana- Benibad District- Muzaffarpur

1. Vinod Kumar @ Binod Kumar Son of Ravindra Prasad Sinha Resident of Ward No. 11 Puranankar Balha, P.S.- Benibad, District- Muzaffarpur
2. Saroj Kumar Son of Ravindra Prasad Sinha Resident of Ward No. 11 Puranankar Balha, P.S.- Benibad, District- Muzaffarpur
3. Nivedita Kumari Wife of Saroj Kumar Resident of Ward No. 11 Puranankar Balha, P.S.- Benibad, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Adv.

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-04-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Benibad P.S. Case No.121 of 2025 under Sections 126(2), 115(2), 117(2), 61(2), 76, 303(2), 324(4)(5), 329(4), 352, 351 and 35 of the BNS, 2023 read with Section 3/4 of the Prevention of Witches (Daain) Practices Act.

3. As per the prosecution, FIR has been lodged against the petitioners with allegation that they have assaulted the informant and his family members due to which injury took



place.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners have been falsely implicated in the present case due to land dispute and village rivalry. He further submits that the specific allegation is not against petitioner No.3.

5. Counsel submits that the criminal antecedent of the petitioners is not clean. There are three criminal cases pending against them in which they are on bail. He further submits that the petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them. He further submits that the petitioner No.3 is a female aged about 48 years.

6. Learned APP for the State opposes the prayer for bail of the petitioners and submits that criminal antecedent of the petitioners is not clean. He further submits that there is no specific allegation against petitioner No.3.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner No.3 namely, Nivedita Kumari, be granted bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty



Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate-1st Class (East), Court No.13, Muzaffarpur, in connection with Benibad P.S. Case No.121 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

8. So far as the petitioner Nos.1 & 2, namely, Vinod Kumar & Saroj Kumar, are concerned, this Court is not inclined to grant anticipatory bail to the petitioner Nos.1 & 2, therefore the bail application of the petitioner Nos.1 & 2 is hereby rejected.

9. However, trial court is directed to consider the regular bail application of the petitioner Nos.1 & 2, namely, Vinod Kumar & Saroj Kumar, if they surrender within six weeks from today and prays for regular bail, then trial court shall pass order on merit without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J)

Prakashmani/-

U		T	
---	--	---	--

