

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32456 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- R S P.S. District- Araria

Phulo Devi @ Fullo Devi Wife of Madhu Bahardar, Resident of Village-
Matiyari, Ward No. 01, P.S.- Araria R.S., District- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Anil Kumar Sinha, Advocate
		Mr. Arvind Kumar, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	Mr. Gopal Kr. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner, learned A.P.P.

for the State and the learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Araria R.S. P.S. Case No. 26 of 2026, dated 07.02.2026, registered for the offences punishable under Sections 190, 191(2), 126(2), 115(2), 118(1), 109, 351(2) and 333 of the B.N.S., 2023. Later on Section 103 of the B.N.S., 2023 was also added.

3. As per the prosecution case, petitioner and other co-accused persons in furtherance of their common intention, armed with *lathi*, *danda*, iron-rod and *dabiya* etc., came to the doors of the informant and while hurling abuses, assaulted the father and brother of the informant causing serious injuries to them. The father of the informant subsequently succumbed to his



injuries.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. From the FIR it is clear that there is admitted land dispute between the parties and the occurrence took place in this background. The FIR has been lodged after delay of one day without satisfactory explanation. There is no allegation of any assault levelled against the petitioner and she has not been attributed with any overt act either. The specific allegation of assault is levelled against the co-accused Santosh Bahardar and Rakesh Bahardar who caused injuries to father and brother of the informant. The allegations are general and omnibus and although petitioner is an old lady, still she was apprehended from her house. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 08.02.2026.

5. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant oppose the submissions made on behalf of the petitioner. Learned counsel for the informant submits that petitioner and other co-accused persons assaulted the father and brother of the informant and the father of the informant lost his life.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the fact that petitioner is a lady and further considering the non-specific nature of allegation against her and also considering submission of chargesheet and her period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria / concerned Court, in connection with **Araria R.S. P.S. Case No. 26 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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