

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33560 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- BEERPUR District- Begusarai

Bishekha Devi @ Bishakha Devi W/o Rajesh Mahto R/o Village - Birpur,
Ward no. 10, P.S - Birpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prabhat, Adv. Mr. Mahendra Thakur, Adv. Ms. Anjali Das, Adv. Mr. Ratan Raj, Adv.
For the Opposite Party/s :		Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual Mode.

2. The petitioner apprehends her arrest in connection with Birpur P.S. Case No. 07 of 2026 dated 19.01.2026 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109(1), 352 and 351(2) of the B.N.S.

3. As per the prosecution case, the informant has alleged that seven F.I.R. named accused persons including the petitioner surrounded the brother of the informant and started abusing him. It is further alleged that on the instigation of the petitioner, the co-accused, Ayush Kumar assaulted the brother of the informant on his head by means of an iron patti while Robin



Kumar and Prince Kumar assaulted the grand-father of the informant, namely, Mohan Thakur, with the butt of a pistol and an iron rod respectively.

4. The learned counsel for the petitioner submits that the petitioner is a lady and has falsely been implicated with general and omnibus allegations. It has been submitted that from a plain reading of the FIR, it would be evident that the petitioner is stated to be the order giver and subsequently, there is a omnibus allegation of all the ladies having assaulted with bricks. Learned counsel for the petitioner has pointed out that the specific allegations of assault is against co-accused persons, namely, Ayush Kumar, Robin Kumar and Prince Kumar. It has lastly been submitted that the petitioner is an accused in one more case lodged in the year 2022, however, she is on bail in the said case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and has stated that the petitioner is the order giver.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the



Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Birpur P.S. Case No. 07 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

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

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two 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.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the



above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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