

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34287 of 2026

Arising Out of PS. Case No.-21 Year-2026 Thana- BALRAMPUR District- Katihar

1. Meena Devi @ Mina Kumari S/o Shiv Singh @ Shivnath Singh @ Shibnath Nuniya Resident of Village - Pachra, PS - Balrampur, District - Katihar
2. Shiv Singh @ Shivnath Singh @ Shibnath Nuniya S/o Nirod Nuniya @ Nirodh Nunia Resident of Village - Pachra, PS - Balrampur, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioners and the learned APP for the State.

2. The petitioners apprehends their arrest in connection with Balrampur P.S. Case No. 21 of 2026, for allegedly having committed offence under Sections 191(2), 191(3), 190, 127(2), 121(1), 121(2) 132, 221, 262, 263, 352, 351(1), 351(2) and 351(3) of the BNS.

3. As per the prosecution story, which has been lodged on the basis of the written report submitted by the informant to the effect that on 16.02.2026 on the orders of the higher police officials, the informant along with the police party proceeded for raiding against sell and purchase of illegal liquor.



In course of patrolling, when he raided village Pachra, he saw that one person upon seeing the Police party started fleeing away, however he was apprehended and upon enquiry, he disclosed his name as Mahavir Singh. Smell of liquor was coming out from his mouth, therefore, he was taken into custody. The police party proceeded for his breathe analyser test. When the police reached near the Bhelai Chowk, the relatives and other people of the locality surrounded the police vehicle. To pacify the matter, the informant along with Sub-Inspector Birendra Prasad Yadav went there but the petitioners, who are the daughter and son-in-law of the person, who was taken into custody, along with some other person and 8-10 unknown persons tried to rescue him, for which an altercation took place and the petitioners abused and assaulted the informant and other police personnel. They obstructed in performing the official duty. Subsequently, the arrested person was taken to the police station where the breathe analyser test was done and he was found to have taken the alcohol.

4. The learned counsel for the petitioners submits that the allegation levelled against the petitioners are entirely false and baseless. He further submits that the father of the petitioner no.1 was taken into custody by the police personnel



and when they went to the Police Station to request the police officials to release him, an altercation took place. Further, neither the informant nor the Sub-Inspector have received any injury and the injuries suffered by them have been found to be simple in nature. The petitioners have got clean antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioners and submits that the petitioners obstructed in performing the official duty by the police officials. Hence, they do not deserve the privilege of anticipatory bail.

6. Having heard the rival submissions and after going through the records, it appears that the petitioners and others tried to rescue the arrested person Mahavir Singh, for which an altercation took place. From the injury report, which has been annexed as Annexure-P/2 to the present anticipatory bail petition, it would transpire that the doctor, who has treated the injured informant Shailesh Kumar and Sub-Inspector Birendra Prasad Yadav, has found the injuries to be simple in nature. The petitioners have got a clean antecedent. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Katihar in connection with Balrampur P.S. Case No. 21 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioners. 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.

(Ritesh Kumar, J)

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