

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34737 of 2026

Arising Out of PS. Case No.-617 Year-2025 Thana- BARH District- Patna

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1. Nilam Devi W/O Phulo Mahto @ Fulchand Mahto R/O Village- Nadwan, P.S.- Barh, Distt- Patna.
 2. Phulo Mahto @ Fulchand Mahto S/O Suresh Mahto R/O Village- Nadwan, P.S.- Barh, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K., Adv

For the Opposite Party/s : Mr.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 20-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner has prayed for withdrawal of the present anticipatory bail with respect to petitioner no. 2.

3. The petitioners are apprehending their arrest in a case in connection with Barh P.S. Case No. 617/2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1),74, 351(2),3(5) of the Bhartiya Nyaya Sanhita.

4. As per the prosecution case, petitioner no.1 along with other co-accused persons assaulted the informant by means of iron rod and *khanti* due to which the informant became



injured, and her gold locket was also snatched. The cause of offence is stated to be the fact that her husband was a witness in a case of kidnapping with respect to the brother of her husband and pressure was being made not to depose in that case.

5. Learned counsel for the petitioner no. 1 has submitted that petitioner is a lady and she is not accused in the kidnapping case as has been mentioned in the F.I.R. It has further been submitted that the injury sustained by the informant is simple in nature. It has further been submitted that since petitioner is a lady, she has been falsely been made accused in this case and as regards allegation with respect to non-bailable section 74 of the BNS is concerned, it would not be applicable against her.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, in connection with Barh P.S. Case No. 617 of 2025,



subject to conditions as laid down under section 482(2) of the
B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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