

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35684 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- JALALGARH District- Purnia

1. Bebi Devi W/O Shiv Narayan Mahto R/O Village - Sarsauni, Bijuliya, P.S- Jalagharh, Dist- Purnea
2. Muskan Kumari @ Susmita Kumari D/o Shiv Narayan Mahto R/O Village - Sarsauni, Bijuliya, P.S- Jalagharh, Dist- Purnea
3. Hema Kumari @ Hema Devi W/o Ajay Mahto @ Ajay Kumar Mahto R/O Village - Sarsauni, Bijuliya, P.S- Jalagharh, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.
For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-06-2026 Heard Mr. Mritunjay Kumar, learned Advocate for the petitioners and learned Additional Public Prosecutor for the State through virtual mode.

2. The petitioners are apprehending their arrest in connection with Jalagarh P.S. Case No. 50 of 2026, registered for the offences punishable under Sections 115(2), 118(1), 117(2), 76, 109, 352, 351(2), 3(5) of the BNS.

3. On the alleged date and time of occurrence, when the informant returned to home he saw that all the accused persons, including the petitioners in furtherance of their common intention, were abusing and assaulting the informant's



wife and children. When the informant objected, all the petitioners along with co-accused Shiv Narayan Mahto brutally assaulted all of them due to which they sustained serious injuries. There is further allegation that accused persons also destroyed the fencing constructed by bamboo stick.

4. Learned Advocate for the petitioners submitted that the alleged occurrence took place on 10.02.2026 but surprisingly the present FIR came to be instituted on 02.03.2026 without there being any plausible explanation except that the parties were intended to compromise but it could not succeed. There is counter version of the present case being Jalagarh P.S. Case No. 51 of 2026. In fact on the alleged date of occurrence on account of some land dispute both the parties have entered into a free fight resulting into injuries to the persons of both the sides. Even if the accusation levelled in the FIR is taken to be true, the specific allegation has been levelled against Shiv Narayan Mahto, who is not before this Court. The petitioners are women having fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that there is specific accusation against the petitioners of causing



assault to the informant and others.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of inordinate delay in lodging of the FIR, coupled with the fact that the petitioners are women having fair antecedent as also the factum of case and counter case and the genesis of occurrence, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Jalagarh P.S. Case No. 50 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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