

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34660 of 2026

Arising Out of PS. Case No.-28 Year-2026 Thana- PAHARPUR District- East Champaran

Musmat Prabhawati Devi @ Prabhawati Kunwar Wife of Late Ambika Singh
Resident of Village- Siswa Bajar, Rambaran Sah ka Tola, P.S.- Paharpur,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 19-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case in connection with Paharpur P.S. Case No. 28 of 2026 dated 11.01.2026 registered for the offences punishable under Section 126(2), 115(2), 118(1), 109, 76, 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita.

3. As per the allegation, this petitioner came at the house of the informant and started beating the children. It is further alleged that when the informant came to rescue, co-accused Jitendra Singh with intent to murder, assaulted the informant on the head with a farsa, thereby injuring him. It is further alleged that co-accused Ashok Singh took his thumb



impression on a blank piece of paper, while the motive was clear that they wanted to grab his land, due to previous dispute. It has further been alleged that when the informant's wife, namely Soniya Devi, came to his rescue, all the accused persons assaulted her until she become unconscious. It has further been alleged that when the informant's daughter, namely Priyanka Devi, came to rescue, then all the accused persons including the petitioner attacked her, tore her clothes, leaving her semi-naked, while co-accused Pratima Devi snatched her gold earrings worth Rs. 16,000/-, while the petitioner and co-accused Punam Devi held her down.

4. Learned counsel for the petitioner has submitted that the present allegation is in the backdrop of admitted land dispute. It has further been submitted that there is general omnibus allegation against the petitioner to have assaulted the informant's daughter, namely Priyanka Devi, as well as Soniya Devi, wife of the informant. It has further been submitted that petitioner is an old lady aged about 68 years and, there is case and counter case between the parties, while there is delay of five days in lodging the present FIR. It has further been submitted referring to the impugned order that except the informant's injury, there is no discussion with respect to injury report of



other injured persons which goes to show that they have not received any injury.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of her 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) with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran, in connection with Paharpur P.S. Case No. 28 of 2026, 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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