

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36197 of 2026

Arising Out of PS. Case No.-332 Year-2025 Thana- BIRAUL District- Darbhanga

1. Vimal Devi S/o Ram Udgar Poddar Resident of Village - Saho, Police Station - Biraul, District - Darbhanga.
2. Nitu Kumari @ Ritu Kumari D/o Ram Udagar Poddar @ Ram Udgar Poddar Resident of Village - Saho, Police Station - Biraul, District - Darbhanga.
3. Ram Udgar Poddar S/o Late Yugeshwar Poddar @ Jugeshwar Poddar Resident of Village - Saho, Police Station - Biraul, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 02-06-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners who apprehend arrest in connection with Biraul P.S. Case No. 332 of 2025 lodged on 10.09.2025, for the offences punishable under sections 191(2), 191(3), 190, 115(2), 118(1), 117(2), 303(2), 74, 109, 352, 351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the F.I.R. has been instituted against nine named accused persons alleging that they



entered the house of the informant during the night and assaulted the members of the informant's family. The specific allegation against petitioner no. 3 is that he instigated the occurrence. So far as petitioner nos. 1 and 2 are concerned, it is alleged that they wrapped a sari around the neck of a family member of the informant, as a result of which the said person became unconscious. There is also an allegation of snatching jewellery from the informant's side.

4. Learned counsel for the petitioners submits that the petitioners and the informant's side are co-parceners and a long-standing land dispute is pending between them. In this connection, Title Suit No. 419 of 2025 is pending before the learned Civil Judge (Junior Division), Biraul, Darbhanga and Title Suit No. 222 of 2025 is pending before the learned Civil Judge (Senior Division), Biraul, Darbhanga. Learned counsel further submits that for the same date and place of occurrence, there is a case and counter-case between the parties. Learned counsel further submits that the petitioners do not have a clean antecedent as one other criminal case, instituted by the same informant in the year 2025 arising out of the land dispute, is pending against them, in which they have already been granted bail. It is further submitted that petitioner nos. 1 and 2 are



woman and are aged about 72 years 42 years respectively and petitioner no. 3 is aged about 75 years.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail. However, he fairly submits that there exists a case and counter-case between the parties and that a land dispute is also pending between them.

6. Considering the facts that the petitioners and the informant are co-parceners, Title Suit No. 419 of 2025 and Title Suit No. 222 of 2025 are pending between the parties before the competent Civil Courts at Darbhanga, there is a case and counter-case arising out of the same date and place of occurrence, and further considering the age of the petitioners as well as the nature of the allegations attributed to them in the F.I.R., let the above-named petitioners be released on bail, in the event of their arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30,000/- (Rupees Thirty Thousand only) each, as mentioned in Section 2(1)(d) of the *Bharatiya Nagrik Suraksha Sanhita, 2023*, to the satisfaction of the Court of Learned Additional Chief Judicial Magistrate-I, Biraul, Darbhanga in connection with the Biraul P.S. Case No. 332 of 2025, subject to the conditions as laid down under Section 482(2) of the *Bharatiya*



Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Ashwini/Manshi

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