

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36315 of 2026

Arising Out of PS. Case No.-313 Year-2024 Thana- DHAKA District- East Champaran

Parvati Devi Daughter of Rajvanshi Sah Resident of village- Yadopur
Bakhari, P.S- Dhaka, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-06-2026 Heard Mr. Jitendra Kumar, learned Advocate for the

petitioner and Mr. Mukesh Kumar Singh, learned Additional

Public Prosecution for the State through virtual mode.

2. The petitioner apprehends her arrest in connection
with Dhaka P.S. Case No. 313 of 2024, registered for the
offences punishable under Sections 126(2), 115(2), 118(1), 109,
303(2), 3(5) of the B.N.S.

3. On the alleged date and time of occurrence, while
the informant was returning home, in the meanwhile, the
petitioner along with co-accused Nemilal Sah, both husband and
wife, variously armed with weapons, surrounded him and co-
accused Nemilal Sah carrying *tengari* in his hand, brutally
assaulted on his head due to which, he sustained serious injury
leading to profuse bleeding. In the meanwhile, this petitioner



also assaulted him by means of iron rod over his hand due to which, his hand was broken. There is further allegation of snatching valuables against the petitioner and others.

4. Learned Advocate for the petitioner submitted that petitioner is non else but the wife of co-accused Nemilal Sah and only in order to mount pressure, the present F.I.R. has been instituted implicating her name. Even if, the allegation has taken to be true for the sake of argument, it is alleged that she has assaulted over the hand of the informant, which is not the vital part of the body, moreover, there is a delay in lodging of the F.I.R. The petitioner is a woman, however, on account of a previous land dispute, she is facing one criminal case. There is a counter version of the present case being Dhaka P.S. Case No. 317 of 2024 instituted against the informant and others by the petitioner; a copy of which has been placed on record as Annexure-P/2. The petitioner undertakes that she 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 submits that because of the assault caused by the petitioner, hand of the informant was broken.

6. Having considered the submissions advanced by



the learned Advocates for the respective parties and taking note of the fact that the petitioner is a woman, facing allegation of assault but on the non-vital part; besides, there is a factum of case and counter-case, as also the delay in lodging of the present F.I.R., let the petitioner above named be released on bail, in the event of her 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahna at Dhaka in connection with Dhaka P.S. Case No. 313 of 2024, 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 petitioner.

(Harish Kumar, J)

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