

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40467 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- Vishwavidyalaya District- Bhagalpur

1. Sunita Devi W/o Buddhi Mahto @ Buddhilal Mahto Resident of Village - Saheganj, P.S.- Vishwavidyalaya, District - Bhagalpur
2. Meera Devi W/o Late Virendra Mahto Resident of Village - Saheganj, P.S.- Vishwavidyalaya, District - Bhagalpur
3. Sailesh Kumar @ Kaila Kumar S/o Late Virendra Mahto Resident of Village - Saheganj, P.S.- Vishwavidyalaya, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Adv.
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-07-2026 Heard the learned Advocate for the petitioners and the learned Additional Public Prosecutor for the State.

2. Learned Advocate for the petitioners Mr. Rajive Ranjan Singh, submits that during the pendency of the present application, the petitioner no. 3 has been arrested and, as such, he is not pressing the application on behalf of the petitioner no. 3.

3. The petitioner nos. 1 and 2 are apprehending their arrest in connection with University P.S. Case No. 02 of 2026, registered for the offences punishable under Sections 191(2), 191(3), 190, 109, 115(2), 76, 118(1), 352, 351(2) and 351(3) of



the B.N.S.

4. On the given date and time of occurrence, allegedly all the FIR named accused persons, including the petitioners, armed with *kulhadi*, *khanti*, *dabia* and iron rod entered into the house of the informant and brutally assaulted her husband, son and daughter-in-law. It is specifically alleged that the petitioner no. 1 assaulted the daughter-in-law of the informant over the back side of her head, whereas petitioner no. 2 assaulted the informant and family members by pelting bricks and stones.

5. Learned Advocate for the petitioners submitted that the present case is nothing but a counter blast to University P.S. Case No. 135 of 2025, instituted against the informant and others, much before the institution of the present case. So far the present case is concerned, with regard to an occurrence which took place on 22.12.2025, the FIR has been instituted on 06.01.2026, after a delay of 15 days, without any plausible explanation. So far the injuries allegedly sustained to the family members of the informant are concerned, all the injuries have been found to be simple in nature, as is evident from the impugned order. In relation to University P.S. Case No. 135 of 2025, the petitioners and their family members have also sustained injuries. The petitioner nos. 1 and 2 are women, having fair antecedent and they undertake that



they will fully co-operate in the proceeding of the Court.

6. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime.

7. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR, coupled with the factum of case and counter case and the petitioner nos. 1 and 2 being women, having fair antecedent, let the **petitioner nos. 1 and 2** above named 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 A.C.J.M.- II, Bhagalpur in connection with University P.S. Case No. 02 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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