

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38046 of 2026

Arising Out of PS. Case No.-788 Year-2023 Thana- SHERGHATI District- Gaya

1. Gunja Kumari D/o Dilchand Manjhi R/o Village- Ghujji Tola, PS- Sherghati, Distt.- Gaya
2. Rajni Kumari D/o Dilchand Kumar R/o Village- Ghujji Tola, PS- Sherghati, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending arrest in connection with Sherghati P.S. Case No. 788 of 2023 lodged on 19.07.2023, for the offence punishable under Sections 147, 323, 325, 354, 379, 307, 504 & 506 of the Indian Penal Code and sections 3/4 of the Witchcraft Act.

3. As per the prosecution, FIR has been lodged against seven named accused persons including the present petitioners. It has been alleged by the informant that the petitioner no.1 along with two other accused persons have assaulted the informant by fist and threw her on the floor and also called her



witch (*dayan*). The other co-accused persons have also assaulted the family members of the informant due to which, multiple injuries have been caused.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. He submits that the informant and the petitioners are co-villagers and next door neighbours and on petty issue, the dispute occurred between them. Counsel also submits that the present petitioners are female aged about 21 years & 19 years respectively. Counsel further submits that the petitioners have clean antecedent and they are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that as per the FIR, there is specific allegation against the petitioner no.1 to assault the informant, but against the petitioner no.2, there is general and omnibus allegation.

6. As such, in the present facts and circumstances of this case, let the petitioner no.2 namely, Rajni Kumari be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as



mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M-I, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 788 of 2023, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. So far as the petitioner no.1 namely, Gunja Kumari is concerned, this Court is not inclined to grant bail to her. Accordingly, the prayer for anticipatory bail of the petitioner no.1 stands rejected.

8. However, liberty is granted to the petitioner no.1 that if she surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on her surrender-cum-bail application on the same day, without being prejudice that the anticipatory bail of the petitioner no.1 has been rejected by this Court.

(Dr. Anshuman, J)

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