

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38856 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- R S P.S. District- Araria

Sabita Devi W/O Rakesh Kumar Bahardar Resident of village- Matiyari ward
No.01,PS- Araria R.S.,District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr.Arvind Kumar, learned counsel for the

petitioner and Mr.Anant Kumar 1, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
24.03.2026 in connection with Araria R.S. P.S. Case No. 26 of
2026, F.I.R. dated 07.02.2026 registered for the offence
punishable under Sections 190, 191(2), 126(2), 115(2),118(1),
109, 351(2), 333 of BNS. Later on Section 103(1) of BNS was
added.

3. Allegation against the petitioner is that she
alongwith other co-accused persons assaulted the father and
brother of the informant with lathi, danda and iron rod, causing
injuries and during course of treatment, the father of the
informant died.



4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. She has falsely been implicated in the present case merely on the ground that the petitioner is wife of co-accused person, namely, Rakesh Kumar Bahardar. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is specific allegation of assault is attributed against co-accused persons, namely, Santosh Kumar Bahardar and Rakesh Kumar Bahardar and co-accused namely, Phulo Devi @ Fullo Devi has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 12.05.2026 passed in Cr. Misc. No.32456 of 2026 and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 24.03.2026.

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

6. Considering the aforesaid facts, petitioner has clean antecedent, similarly situated co-accused person has been granted bail by a Coordinate Bench of this Hon'ble Court and there is no specific allegation against the petitioner in the FIR, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Araria in connection with Araria R.S. P.S. Case No. 26 of 2026, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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