

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40545 of 2026

Arising Out of PS. Case No.-217 Year-2026 Thana- SITAMARHI District- Sitamarhi

Mithleshiya Devi @ Mithlesh Devi S/o Rajdev Singh R/o Village - Bhasar
Tole, Koriyahi Tola, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X S/o Ramsevak Mahto R/o Vill and P.O.- Bhasar Machhaha, Dakshini
got Ward No. 04, P.S. and Distt- Sitamarhi, Pin Code- 843314

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 109, 74, 351(2), 352 and 3(5) of the BNS, 2023
and Sections 7 and 8 of POCSO Act, 2012.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
the informant alleges that Abhishek used to post obscene videos
of his daughter on Facebook and Instagram and used to threaten
her, further on 05.01.2026 at 9:30 AM, his cousin brother
Raushan was assaulted for which a panchayati was held on



19.02.2026, next alleges that on 22.03.2026, his daughter along with her mother and aunt had gone to the market where Abhishek acted inappropriately with the victim, but they came back home and disclosed about the occurrence, thereafter accused persons came to his house and petitioner gave knife to Abhishek who assaulted Raushan causing injury on his lip and back while Raj Paltan assaulted Aniket by *lathi* causing injury on head, on alarm, villagers gathered and police was informed and injured was taken to the hospital.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that from perusal of allegations as alleged in the FIR, it would manifest that specific allegation of assaulting Raushan by knife is against Abhishek. It is also submitted that petitioner being aunt (Bua) came to be implicated in the instant case with an allegation that he gave the knife to Abhishek for committing the occurrence. It is submitted that petitioner has been implicated in the case with a view to coerce Abhishek into submission since petitioner is own sister of Abhishek's father.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact that petitioner is a woman and is a person with clean antecedent, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sitamarhi P.S. Case No. 217 of 2026 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. **The application stands allowed.**

(Satyavrat Verma, J)

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