

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42906 of 2026

Arising Out of PS. Case No.-71 Year-2026 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

=====

Sunita Devi, Wife of Nirmal Yadav @ Dhalo, Resident of Village-Hindupur
Ward No. 8, P.S.- Simri Bakhtiyarpur, Dist.- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending her arrest in connection with Simri Bakhtiyarpur P.S. Case No.71 of 2026 registered under Sections 191(2), 190, 126(2), 115(2), 127(2), 352, 351(2), 132, 223, 109, 121(2) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. As per FIR, the petitioner along with other co-accused persons alleged to assault the informant and others, who are police officers and also alleged to deter them from discharging their official duties, while they came to the village of petitioner for rescue of two boys, who were



confined in one house of the village.

4. It is submitted by learned counsel that the allegation is appearing very much general and omnibus against this petitioner and she appears implicated with present crime in question for the reason that she is the wife of co-accused Nirmal Yadav @ Dhalo, against whom, the allegation of instigation is available. It is submitted that the petitioner found involved in Bakhtiyarpur P.S. Case No.398 of 2019 but, the police after investigation, submitted closure report against the petitioner, which was also accepted by the learned Jurisdictional Magistrate and, thus, she was exonerated from allegation as raised, and, therefore, it can be safely said that the petitioner is a lady of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact, as the allegation to deter the police officials from discharging their duties appears very much general and omnibus against petitioner, who is a lady of clean antecedent, as discussed aforesaid, accordingly, the



petitioner, above-named, in the event of her arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with Simri Bakhtiyarpur P.S. Case No.71 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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