

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42663 of 2026

Arising Out of PS. Case No.-116 Year-2026 Thana- CHAKIA District- East Champaran

1. Mamta Devi W/o Sant Kumar Tiwari Resident of Village- Sihorwa, P.S.- Chakia, District- East Champaran
2. Risti Kumari D/o Sant Kumar Tiwari Resident of Village- Sihorwa, P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard Mr. Rajeev Ranjan, learned counsel for the petitioners as well as Mr. Ram Bilash Roy Raman, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who is in custody since 18.03.2026 in connection with Chakia P.S. Case No. 116 of 2026, F.I.R. dated 17.03.2026 for the offences punishable under Sections 109(1), 103(1), 61(2), 132, 254, 121(1), 121(2), 310(4), 310(5), 3(5) of the Bharatiya Nyay Sanhita, 2023 and 25(1-B) (a), 26, 27, 35 of the Arms Act.

3. Allegation against the petitioners is that they provided shelter to the notorious criminals, namely, Kundan Thakur and his gang.



4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and have been falsely implicated in the present case. He further submits that although certain criminals were found present in the petitioners' house, the petitioners had no role whatsoever in the alleged occurrence. He further submits that the petitioners have been made accused solely on the ground that they are the wife and daughter, respectively, of the co-accused, Sant Kumar Tiwari, who was also present in the said house and there is no specific allegation attributing any overt act or criminal involvement against these petitioners. The police after investigation submitted charge-sheet against the petitioners and the petitioners are in custody since 18.03.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent and they are family members of co-accused, Sant Kumar Tiwari and there is no specific allegation against them, let the petitioners, 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 the learned Judicial Magistrate, First



Class, East Champaran, Motihari in connection with Chakia P.S.
Case No. 116 of 2026, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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