

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44305 of 2026

Arising Out of PS. Case No.-125 Year-2026 Thana- RAFIGANJ District- Aurangabad

1. Durgatiya Devi @ Durgavati Devi Wife of Vijal Thakur Resident of Kharati, Kharati, Rafiganj, P.S.- Rafiganj, District- Aurangabad, Bihar
2. Rahul Thakur @ Rahul Kumar Son of Vijal Thakur Resident of Kharati, Kharati, Rafiganj, P.S.- Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-07-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 109(1), 352, 351(2) and 3(5) of the BNS.
3. Learned counsel appearing on behalf of the petitioners, after some argument, seeks permission to withdraw the anticipatory bail application with respect to petitioner no. 2, namely, Rahul Thakur @ Rahul Kumar.
4. Permission is accorded.
5. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 2 is dismissed as withdrawn.



6. Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 has antecedent of one case and is a woman and the informant alleges that on 27.03.2026 when he was returning home along with his uncle (Dharmendra) at 7:00 p.m. when four named accused persons intercepted them near the house of Vijal and all the accused separately assaulted him and his uncle by khanti and lathi causing injury on head, on account of which his uncle became unconscious, thereafter the accused assaulted them by bricks, but people gathered and accused fled threatening not to institute a case or else they will be implicated in a case of rape, further injured were admitted in Hospital but his uncle was referred to Sadar Hospital, Aurangabad and thereafter was referred to Banaras Trauma Centre.

7. Learned counsel for the petitioners submits that petitioner no. 1 has been falsely implicated in the instant case by the informant. It is next submitted that no doubt uncle of the informant suffered grievous injury on head but then specific allegation of assault is not alleged and petitioner no. 1 being a woman and related to the accused persons came to be implicated with a view to coerce the male members into submission, it is further submitted that Rafiganj P.S. Case No. 123 of 2026 was



instituted from the side of the petitioners against the informant and his side and Dharmendra was granted the privilege of anticipatory bail by the learned District Court as would manifest from annexure 4 to the anticipatory bail application.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no. 1.

9. Considering the submissions made by the learned counsel appearing on behalf of the petitioner no. 1 and taking into consideration the fact that petitioner no. 1 is a woman, let the petitioner no. 1, namely, Durgatiya Devi @ Durgavati Devi, above-named, in the event of her 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 Rafiganj P.S. Case No. 125 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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