

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47598 of 2026

Arising Out of PS. Case No.-83 Year-2026 Thana- KASBA District- Purnia

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1. Tuntun Chauhan @ Rajesh Chouhan Son of Yogi Chouhan @ Yogendra Prasad Chouhan Resident of Village- Phulwaria, P.S.- Kasaba, District - Purnea.
 2. Chhotu Chouhan Son of Yogi Chouhan Resident of Village- Phulwaria, P.S.- Kasaba, District - Purnea.
 3. Naina Kumari Daughter of Yogi Chouhan @ Yogendra Prasad Chouhan Resident of Village- Phulwaria, P.S.- Kasaba, District - Purnea.
 4. Malkhi Devi @ Punam Pandit @ Punam Devi Daughter of Yogi Chouhan @ Yogendra Prasad Chouhan, W/o Chhote Lal Mahto Resident of Village- Majhua Bhoga Bhatgama, P.S.- Muffasil, Ranipatra, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nadimul Hasan, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-07-2026 At the outset, learned counsel for the petitioners submit that so far as the petitioner no.1, Tuntun Chauhan @ Rajesh Chouhan and petitioner no.2, Chhotu Chouhan are concerned, on instruction, he may be permitted to withdraw their anticipatory bail application.

2. Accordingly, the anticipatory bail application of petitioner no.1, Tuntun Chauhan @ Rajesh Chouhan and petitioner no.2, Chhotu Chouhan stand rejected.

3. Heard the parties.

4. The petitioners are apprehending their arrest in



connection with Kasba P.S. Case No. 83 of 2026 registered for the offence under Sections 126(2), 127(2), 115(2), 117(2), 121(1), 121(2), 132, 352, 351(2) and 3(5) of the B.N.S., lodged on 01.03.2026 by the informant, Shailesh Kumar.

5. As per the prosecution story, the allegation is that petitioner no.4, Malkhi Devi asked the Police to come to the house as some people are consuming alcohol and creating nuisance. As the Police entered the house, found heavily intoxicated persons creating ruckus in the house. As they wanted them to take appropriate steps for letting them go through alcohol test, the accused became violent and the ladies also supported them. Petitioner no.1, Tuntun Chauhan @ Rajesh Chouhan tried to snatch the informant's pistol while petitioner no.2, Chhotu Chouhan attacked on the chest causing pain. This led to the F.I.R.

6. Learned counsel for the petitioners submit that so far as the two lady petitioners are concerned, they themselves requested the Police to stop the nuisance and further, have not been assigned any main role of assaulting the Police which is mainly directed towards the petitioner no.1 and petitioner no.2 and they have no criminal antecedent.

7. Learned APP opposes the prayer submitting that



though petitioner no.4 wanted the Police to intervene, when they went inside, she participated in making the assault.

8. Taking into account the aforesaid facts as also that the petitioner no.3, Nina Kumari and petitioner no.4, Malkhi Devi @ Punam Pandit @ Punam Devi are ladies having no criminal antecedent and the main role of assault has been assigned to petitioner no.1 and 2, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

9. Let the petitioner no.3, Nina Kumari and petitioner no.4, Malkhi Devi @ Punam Pandit @ Punam Devi be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Kasba P.S. Case No. 83 of 2026 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner no.3, Nina Kumari and petitioner no.4, Malkhi Devi @ Punam Pandit @ Punam Devi who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner no.3, Nina Kumari and petitioner



no.4, Malkhi Devi @ Punam Pandit @ Punam Devi shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner no.3, Nina Kumari and petitioner no.4, Malkhi Devi @ Punam Pandit @ Punam Devi shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioner no.3, Nina Kumari and petitioner no.4, Malkhi Devi @ Punam Pandit @ Punam Devi shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no.3, Nina Kumari and petitioner no.4, Malkhi Devi @ Punam Pandit @ Punam Devi shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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