

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48186 of 2026

Arising Out of PS. Case No.-364 Year-2026 Thana- GAYA MUFASIL District- Gaya

1. Suruchi Kumari W/o Dilip Malakar Resident of Village- Bhadeja, P.S.- Muffasil, District- Gaya
2. Khushbu Kumari W/o Bablu Malakar Resident of Village- Bhadeja, P.S.- Muffasil, District- Gaya
3. Urmila Devi W/o Jai Ram Malakar Resident of Village- Bhadeja, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Muffassil P.S. Case No. 364 of 2026 for the offence punishable under sections 191(2), 190, 126(2), 115(2), 121(1), 121(2), 132, 109, 303(2) 262, 117(2), 61(2), 111(3) and (4) & (5) of the BNS lodged on 09.04.2026 by the informant.

3. The allegation, as per prosecution case, is that the FIR named accused persons by forming a gang gathered and assaulted the police personnel by means of iron rod, *danda* and stones in order to release their vehicles/tractors wherein one constable is said to have sustained injuries. Accordingly, the



FIR.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as the husbands of these petitioners, namely, Dilip Malakar, Bablu Malakar and Jai Ram Malakar have been found to be involved in the face-off with the police personnel for releasing their vehicles/tractors wherein one of the constables is said to have sustained injuries while allegations against these petitioners are general and omnibus in nature. It is the case of the petitioners that the husbands of petitioner no.1 and 2 have already been taken into judicial custody for the allegation levelled in the FIR. It has next been submitted that the petitioners have got no antecedent and there is no specific allegation of overt act against them.

5. Learned APP opposes the prayer for anticipatory bail by submitting that though the petitioners are ladies but they were found actively involved in the confrontation which took with the police personnel.

6. Considering the fact that there is no specific allegation of overt act against these petitioners and the husband of petitioners no.1 and 2 have already been taken into custody and the petitioners have got clean antecedent, this Court is



inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners, above named, be released on bail in the event of arrest or surrender within a period of six 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 ***I/C Chief Judicial Magistrate, Gaya*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) 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/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to



*take steps for cancellation of his/their bail
bonds.*

(Ajit Kumar, J)

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