

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74571 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- Pahleja P.S. District- Saran

1. Nitesh Kumar @ Nites Kumar Son of siyaram Mahto Resident of Village-Kharika, P.S.- Pahleja, Dist-Saran
2. Chandrabati Devi @ Chandrawati Devi @ Amrawati Devi Wife of Siyaram Mahto Resident of Village- Kharika, P.S.- Pahleja, Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Advocate
For the State : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-02-2026 At the outset, learned counsel for the petitioners at the outset prays for withdrawal of the anticipatory bail of the petitioner no.1, namely Nitesh Kumar @ Nites Kumar.

2. Accordingly, the anticipatory bail of petitioner no.1, namely Nitesh Kumar @ Nites Kumar stands rejected.

3. Heard the parties.

4. The petitioner no.2 is apprehending her arrest in connection with Pahleja P.S. Case No. 38 of 2025 registered for the offence under Sections 126(2), 115, 118(1), 109, 303(2) and 3(5) of the B.N.S., lodged on 09.04.2025 by the informant Lalita Devi.

5. As per the prosecution story, the allegation is that



the informant's son was returning home on auto when Nitesh Kumar gave iron rod blow on his head causing injury. The allegation of taking away Rs.5,000/- is/are also there, he was conscious and finally shifted to Patna Medical College and Hospital, Patna which followed the F.I.R..

6. Learned counsel for the petitioner no.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati Devi submits that even going by the F.I.R. main allegation is against Nitesh Kumar, only to implicate the family members, the lady has been robed in, she do not have criminal antecedent.

7. In this case, case diary has been called for and according to the supervision note, it has been recorded that the injured was having relationship with the daughter of Bhola Mahto which resulted into this occurrence.

8. Learned APP opposes the prayer submitting that allegation is there also against the petitioner no.2.

9. Considering the submissions of the parties as also that the fact that main allegation is against Nitesh Kumar, his anticipatory bail application stands withdrawn, the petitioner no.2 is a lady, no criminal antecedent, no direct role has been assigned to her, in that background, this Court is inclined to extend him the privilege of anticipatory bail.



10. Let the petitioner no.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati 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) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Saran at Chapra, in connection with Pahleja P.S. Case No. 38 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner no.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati Devi who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioner no.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati Devi shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the petitioner no.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati Devi shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be



at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner no.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati 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.2, namely Chandrabati Devi @ Chandrawati Devi @ Amrawati 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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