IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77563 of 2026

CNR No. BRHC011104872026

Arising Out of PS. Case No.-16 Year-2026 Thana- MAHILA P.S. District- Araria

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Kalila, W/o Abid R/o Village - Uda, Ward No. 11, P.S - Mahalgaon, District - Araria

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kumar Ravish, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends arrest in connection with Mahila P.S. Case No. 16 of 2026, lodged on 23.03.2026, for the offences punishable under Sections 126(2), 115(2), 64(1), 352 and 3(5) of the BNS, 2023.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioner. It has been alleged by the informant that accused, namely, Mustak (son of the petitioner) has alleged to have committed rape with her when this information was communicated by the informant along with her relatives to the petitioner and her husband, then they started abusing the informant and other persons have said

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to hold panchayati but the petitioner told that after selling two bighas of land everything shall be done.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that admittedly allegation is against the son of the petitioner to commit rape. Counsel further submits that the only specific allegation against the petitioner that when the informant reached at the house of the petitioner to intimate about the wrong done by her son then the petitioner has abused them and threatened. Counsel submits that the antecedent of the petitioner is clean and age of the petitioner is 74 years.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner but fairly submits that petitioner is aged about 74 years and alleged to be the mother of the wrong doer. Counsel submits that allegation of threatening is there.

6. As such, in the present facts and circumstances of the case, let the above-named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of learned Sub-

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Divisional Judicial Magistrate, Araria, in connection with Mahila P.S. Case No. 16 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

(Dr. Anshuman, J)

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