**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.78084 of 2026**

**CNR No. BRHC011114992026**

Arising Out of PS. Case No.-141 Year-2026 Thana- GOPALPUR District- Gopalganj

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Sandhya Kumari D/o Chotelal Baitha @ Chotelal Prasad Resident of Village- Sukhdeo Patti, P.S.- Gopalpur, District- Gopalganj

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Dharmveer, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP
For the Informant : Mr. Indrajeet Bhushan, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**

ORAL ORDER

2 04-11-2026 Heard Mr. Dharmveer, learned counsel for the petitioner, Mr. Rabindra Kumar, learned APP for the State and Mr. Indrajeet Bhushan, learned counsel for the Informant.

2. Petitioner seeks bail, who is in custody since 27.04.2026, in connection with Gopalpur P.S. Case No. 141 of 2026, F.I.R. dated 26.04.2026 registered for the offences punishable under Sections 126(2), 115(2), 103(1), 351(2), 352, 3(5) of the B.N.S., 2023.

3. The prosecution case, in brief, is that on 23.04.2026 at 09:00 A.M. the informant's husband namely Ramu Baitha returned to his home after finishing the work of tent, then accused persons including the petitioner came there and picked

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up the cot and threw away. When informant asked for the same, they they started hurling abuses and she forbade for the same then they assaulted the informant. Further it is alleged that when her husband and mother-in-law came to rescue her, they they also assaulted to them by means of kick and punch. Informant was pregnant and the nearby people came there and rescued them. Thereafter, they got treatment at Tamkuhi Hospital but from where they referred to Padrauna for better treatment. Again, her husband referred to Gorakhpur and during course of treatment, her husband died.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and she has been falsely implicated in the present case merely on the ground that she is family members of other co-accused persons. He further submits that both the parties are agnates to each other and due to some petty dispute the present occurrence had taken place. Learned counsel for the petitioner further submits that although the petitioner is named in the F.I.R. but from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against her rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the police after investigation

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submitted chargesheet against the petitioner and the petitioner is in custody since 27.04.2026.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that due to the present incident the husband of the informant has died on 25.04.2026 after two days of the occurrence.

6. Considering the aforesaid facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation against her in the F.I.R. as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj in connection with Gopalpur P.S. Case No. 141 of 2026, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

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(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed her criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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