

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78852 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- CHOUTARWA District- West
Champaran

Subhawati Devi Wife of Subhash Prasad Resident of village -Jamdar tola PS-
Chautarwa Distric West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 82008 of 2025

Arising Out of PS. Case No.-228 Year-2025 Thana- CHOUTARWA District- West
Champaran

- 1. Ramjee Prasad @ Ramjee Sah S/o Late Yamuna Sah R/o Village - Jamadar
Tola Siswa Basantpur, P.S - Choutarwa, District - West Champaran
- 2. Sindhu Devi @ Sindu Devi W/o Deepu Kumar R/o Village - Jamadar Tola
Siswa Basantpur, P.S - Choutarwa, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 78852 of 2025)
For the Petitioner/s : Mr.Sujeet Kumar
For the Opposite Party/s : Mr.Mukesh Kumar Singh
(In CRIMINAL MISCELLANEOUS No. 82008 of 2025)
For the Petitioner/s : Mr.Milind Kumar Mishra
For the Opposite Party/s : Mr.Surendra Kumar
For the Informant
in both cases : Mr. Kaushal Kumar Upathyay, with
Deepika Sharma & Rajat Kumar Tiwary.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-01-2026 Heard learned counsel for the petitioners and learned

A.P.P. for the State (in both cases) and learned counsel for the

informant.



2. The petitioners apprehend their arrest in a case registered for the offence under Sections 191(2), 191(3), 190, 126(2), 115(2), 129(3), 109, 103, 352 of the Bhartiya Nyaya Sanhita.

3. The prosecution case, in brief, is that on 18.07.2025 at about 6:40 PM, all the FIR named accused persons including petitioners came at the door of informant and started abusing and thereafter, assaulted husband of informant by means of lathi, causing head injury. It is further alleged that few unknown persons threw stones over the house of Ramji Sah (petitioner no.1 in Cr.Misc. No. 82008 of 2025) and being annoyed with the same, the accused persons killed husband of the informant.

4. Learned counsel for the petitioners submits that allegation of assault is general and omnibus and there is no specific allegation of overt act against petitioners. He further submits that as per F.I.R., 10 accused persons assaulted the deceased, but in the post-mortem report, only two injuries have been found on the person of deceased, which itself falsifies the prosecution case. Petitioners claim clean antecedent.

5. Learned counsel for the informant vehemently opposed the bail petitions.

6. Considering the aforesaid facts and circumstances,



let the petitioners in both cases, namely; Subhawati Devi, Ramjee Prasad @ Ramjee Sah and Sindhu Devi @ Sindu Devi, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Bagaha, District – West Champaran in connection with Chautarwa P.S. Case No. 228 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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