

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87086 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- NAUTAN District- Siwan

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1. Shanti Devi W/o Kamlesh Ram R/o Village- Balua, Post- Sirisiya, P.S- Nautan, Dist- Siwan.
 2. Rajmatiya Devi W/o Dwarika Ram R/o Village- Balua, Post- Sirisiya, P.S- Nautan Dist- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s	:	Mr.Brajendra Nath Pandey, APP
For the Informant	:	Mr. Shiv Sagar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-01-2026 Heard Mr. Bijay Prakash Singh, learned counsel appearing on behalf of the petitioners; Mr. Brajendra Nath Pandey, learned APP for the State and Mr. Shiv Sagar Sharma, learned counsel for the informant.

2. The petitioners seek pre-arrest bail in connection with Nautan P.S. Case No. 149 of 2025 registered for the offence(s) punishable under Sections 126(2), 115(2), 117(2), 109, 74, 303(2), 352, 351(2), 3(5) of the BNS.

3. As per the allegation made in the FIR, all the accused, including the petitioners, with common intention assaulted the informant and her entire family members, who sustained injury.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. Both the parties are agnates. The allegation is against the petitioners, who are female members of the family, that over a trivial matter of tree cutting, the accused persons forcibly entered the house of the informant, and the parties indulged in a fierce fight. The petitioners, in their self-defence, may have caused some injury on the person of the informant. The petitioners have clean antecedent. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Mr. Shiv Sagar Sharma, learned counsel for the informant vehemently opposed the prayer for grant of pre-arrest bail and submitted that the mother-in-law of the informant died in course of treatment, who sustained grievous injury attributable to the petitioners.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Having considered the rival submissions made on behalf of the parties, as well, having perused the allegation made in the FIR, I find that there is no specific allegation against the petitioner no.1 and the petitioner no.1, in her self-



defence, may have caused some injury on the person of the informant. The petitioner no.1 is having clean antecedent and as such, I am of the opinion that petitioner no.1 has, *prima facie*, made out a case to be released on pre-arrest bail.

8. The petitioner no.1, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending/Concerned Court in connection with Nautan P.S. Case No. 149 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

9. The learned District Court is directed to verify the criminal antecedent of the petitioner no.1 and if it is found that the petitioner no.1 is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

10. So far as, the petitioner no.2 is concerned, the petitioner no.2, if so advised, may seek regular bail before the learned District Court. The learned District Court is directed to pass a necessary order, in accordance with law,



on the basis of materials available on record, on the same day, the bail application is filed, without any further delay and without being prejudiced by any observation made by this Court.

11. Accordingly, the present application stands disposed of.

(Purnendu Singh, J)

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