

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86894 of 2025

Arising Out of PS. Case No.-180 Year-2024 Thana- DHANARUA District- Patna

Nanki Devi @ Nanhki Devi W/o- Dinesh Prasad Resident of Village - Badiha,
P.S. - Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyamal Prakash, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-01-2026 Heard Mr.Shyamal Prakash, learned counsel for the

petitioner and Mr.Mohammed Arif, learned Additional Public

Prosecutor for the State.

2. Petitioner is apprehending her arrest in connection
with Dhanarua P.S. Case No.180 of 2024, dated 11.04.2024
registered for the offences punishable under Sections
147,341,323,325,324,307,379,504 of IPC.

3. The prosecution story, in nutshell, besides the
ancillary fact is that on 19.03.2024 at about 11.00 hrs in
morning the informant along with his daughter and son in-law
were cutting Masuri pulse crop and meanwhile his gotiyas
named accused persons in FIR including, petitioner came there
armed with iron rod and iron sharp cutting article (Fasuli) and
claimed that land to be of their land and for this scuffle took



place and all FIR named accused persons attacked and assaulted him with iron rod due to which his both hands and left leg me fractured and it is also alleged that Suraj Kumar attacked with Fasuli due to which informant sustained severe head cut injury and Vikash Kumar snatched his mobile and also Rs.6000/-kept in his pocket and when his daughter came to rescue him, they also assaulted her due to which she sustained severe head injury and both informant and his daughter fell unconscious.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Although the petitioner is named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against the petitioner in the FIR. Petitioner and the informant are agnates to each other. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 22.03.2024 but the present FIR has been instituted on 11.04.2024 which suggests that the present FIR has been instituted after delay of about more than 15 days without giving any explanation of delay which suggests that the present FIR has been instituted afterthought only to falsely implicate the



petitioner and her other family members in the present case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, there is no specific allegation of any assault or overt-act attributed against the petitioner and FIR has been instituted after delay of about more than 15 days, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Masaurhi, Patna in connection with Dhanarua P.S. Case No.180 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) 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 his/her criminal antecedent, 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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