

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89104 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- BARABAR TOURIST District- Jehanabad

1. Nilam Devi @ Lilam Devi W/o Satyendra Yadav R/o vill - Misharbigha (Mishirbigha), P.s.- Vishunganj, Distt.- Jehanabad
2. Pappu Kumar @ Sanuj Kumar S/o Satyendra Yadav R/o vill - Misharbigha (Mishirbigha), P.s.- Vishunganj, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr.Uday Kumar, learned counsel for the petitioner and Mr.Anish Chandra, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Barabar Tourism (Vishunganj) P.S.Case No.89 of 2025, FIR dated 17.08.2025 registered for the offences punishable under Sections 126(2), 115(2), 333, 303(2), 109, 74, 352, 351(2), 3(5) of BNS, 2023.

3. Stated in brief the prosecution case as per the written application of the informant Sangita Kumari is that on 15.08.2025 at about 9.20 o'clock while the informant was at her home the petitioners along with accused persons



equipped with Lathi, Danda iron rod and Khanti came there and entered into her house and they began to abuse her. On protest the petitioner Pappu Kumar caught hold the informant's mother and the accused Satyendra Yadav assaulted the informant's mother by means of iron rod as a result of which she sustained head injury. It is further alleged that when the informant's brother Kamlesh Kumar came to intervene then the petitioner Pappu Kumar assaulted on his mouth by means of butt of pistol due to which his tooth was broken. When the informant came to save her brother then the co-accused Rajesh Yadav pushed the informant by catching her hair. It is further alleged that in course of Marpit, the petitioner Nilam Devi and the co-accused Amrita Kumari snatched Juitiya worth Rs. 40.000 from the neck of the informant's mother and the petitioner Pappu Kumar tried to molest the informant. Thereafter, the injured were brought to Referral Hospital, Makhdumpur from where they were referred to Magadh Medical, Gaya for better treatment.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent. The allegation as alleged



in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against petitioner No.1, Nilam Devi @ Lilam Devi. As per FIR, there is specific allegation against petitioner No.2, namely, Pappu Kumar @ Sanuj Kumar that he has assaulted to the brother of the informant due to which brother of the informant has received the injury and the injury report of the brother of the informant suggests that the injury is grievous in nature.

5. Considering the nature of allegation against petitioner No.2, namely, Pappu Kumar @ Sanuj Kumar, I am not inclined to grant him privilege of anticipatory bail.

6. Prayer is refused.

7. There is no specific allegation against petitioner No.1, Nilam Devi @ Lilam Devi in the FIR.

8. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner.

9. Considering the aforesaid facts, petitioner No.1,



Nilam Devi @ Lilam Devi has clean, let petitioner No.1, Nilam Devi @ Lilam Devi, 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, Jahanabad in connection with Barabar Tourism (Vishunganj) P.S.Case No.89 of 2025, 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 bonds 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)

Nitesh/-

U		T	
---	--	---	--

