

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91472 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- Khesar District- Banka

Phool Kumari W/o- Vikash Kumar Yadav R/v- Pathal Kuriya Ps- Khesar Dist-
Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Md. Naimu Hodda, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
21.10.2025 in connection with Khesar P.S. Case No. 66 of 2025,
F.I.R. dated 20.10.2025 for the offences punishable under
Sections 126(2), 115(2), 117(2), 109, 103(1), 352, 351(2), (3),
3/5 of the B.N.S.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to have assaulted the informant
with iron rod and co-accused Ranjan Kumar assaulted the
informant's father with bhujali on his head due to which he died
on the spot.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and she has falsely been implicated in the present case only on the ground that she is family members of the other co-accused person. Although the petitioner is named in the F.I.R. but from bare perusal of the F.I.R. it appears that the specific allegation of assault is attributed against Ranjan Kumar, Bindehswari Yadav, Premalata Devi and later on father of the informant died. There is no specific allegation of assault or overt act against the petitioner and it appears from the F.I.R. that there was admitted land dispute between the parties due to which the present occurrence took place. The police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent, there is no specific allegation of overt act against her in the F.I.R., let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Banka in connection with Khesar P.S. Case No. 66 of 2025, with



the 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 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 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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