

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1582 of 2026

Arising Out of PS. Case No.-411 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. Priyanka Kumari @ Priyanka Devi D/o- Bhola Kumar, W/o- Sonu Mahto @ Sonu Kumar Roy R/v- Chhatauna Ps- Samastipur Muffasil Dist- Samastipur
 2. Chandani Devi @ Chaniya Devi D/o- Late Prasadi Mahto R/v- Chhatauna Ps- Samastipur Muffasil Dist- Samastipur, A/P- Haripur Khairi Ps- Khanpur Dist- Samastipur
 3. Bholi Kumari @ Bholiya Devi D/o- Late Prasadi Mahto, W/o- Sohan Kumar R/v- Chhatauna Ps- Samastipur Muffasil Dist- Samastipur, A/P- Chandchaur Ps- Ujiarpur Dist- Samastipur
 4. Vimla Devi W/o- Late Prasadi Mahto R/v- Chhatauna Ps- Samastipur Muffasil Dist- Samastipur
 5. Rahul Kumar S/o- Sonu Mahto @ Ashwani Kumar R/v- Kashipur Ps- Samastipur Town Dist- Samastipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners, at the outset, submits that petitioner no. 5, Rahul Kumar, has been arrested during the pendency of this application and seeks permission to withdraw this application with respect to petitioner no. 5.

3. As prayed for, this case has become infructuous with respect to petitioner no. 5.

4. The petitioner nos. 1 to 4 apprehend their arrest in



connection with Samastipur (Muffasil) P.S. Case No. 411 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 109(1), 351(2), 352, 3(5) of the BNS, 2023.

5. The case of the prosecution, in short, is that on 06.10.2025 the informant during her worship at Bhuiya Asthan, accused Vimla Devi raised alarm that as and when she worshiped there, one of the members of her family member got ill so she directed not to worship and when she protested, the accused persons started assaulting her and when her family member came to rescue, they were also brutally assaulted.

6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent. The entire prosecution story is false, fabricated and concocted. Learned counsel for the petitioners submits that there is no manner of occurrence as alleged has ever taken place. It is further submitted that the allegations are general and omnibus in nature.

7. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

8. It has been stated in paragraph-9 of the application that the present prosecution is as a result of counter-blast action of Samastipur (Muffasil) P.S. Case No. 410 of 2025 dated



06.10.2025 under Section 126(2), 115(2), 786, 118(1), 109(1), 117(2), 303(3), 329(4), 351(2), 352 and 3(5) of the BNS, 2023 by Priyanka Kumari (petitioner no.1) against the informant side. Further from the reading of the FIR it does not appear that there is any specific allegation of assault against any of the petitioners and it appears to be that on account of village politics, this prosecution has been lodged against the petitioners. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioners.

9. Let the petitioner nos. 1 to 4, named above, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Samastipur in connection with Samastipur (Muffasil) P.S. Case No. 411 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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