

In the Court of Addl. Sessions Judge II, Aurangabad

A.B.P No. 245/26

Obra PS case no. 10/26

(Rinky Devi and another v/s State of Bihar)

Counsel for the petitioner – Shree Krishna Pratap, Shree Ashok Kumar Gupta (Advocate).

Counsel for the State – Shree Devendra Kumar Sharma (A.P.P).

Present – Anindita Singh

Addl. Sessions Judge II

Aurangabad

13.3.26 -An application for anticipatory bail filed on behalf of accused petitioners namely 1. Rinky Devi & 2. Sonamati Kuer who are apprehending their arrest in connection with Obra P.S. case no. 10/26 under section 115(2), 126(2), 117(2), 109(1), 352, 351(2)/3(5) BNS has been pressed today for hearing.

Heard Ld. Counsel of the petitioners as well as Ld. APP.

One Reena Devi is the informant of the case who has filed a written report in the Obra police station alleging therein that on 14.1.2026 at 8:00 AM an altercation has taken place between her and Rinku Devi as Rinky Devi has thrown gajwara near her house upon which Rinky Devi, Ayush Kumar, Madhu Kumari and Sonmati Kuer started throwing bricks and stones indiscriminately from their roof upon then due to which Reena Devi and Dilip Yadav both sustained injury on their head and became unconscious. Later on villagers on hulla came there and both the injured were taken to Sadar hospital from where Dilip Yadav referred to Sadar hospital. The cause of occurrence has been mentioned as land dispute between the parties.

It has been submitted by the Ld. Counsel on behalf of the petitioners that the petitioners innocent laides who have been falsely been implicated in the present case by their own gotiya on account of land dispute. As a matter of fact, apart from exchange of filthy language nothing had happened. Nobody has seen the petitioners throwing bricks and stones from their roof. Both the petitioners are ladies having no criminal antecedent and the injuries sustained by so called victims have also been found simple in nature. Accordingly, prayer has been made to enlarge the petitioners on anticipatory bail.

On the other hand ld. APP opposed the prayer of bail and submitted that after primary treatment both the victims were referred to Sadar hospital.

Heard and perused the case record as well as the primary and supplementary injury reports of the victims in total 39 paragraphs till 3.2.26. The petitioners are named in the FIR and the thrust of allegation against them is of causing injury to the informant and Dilip Yadav by means of bricks and stones. During investigation the informant in her re-statement in para no. 2 and other witnesses in para no. 6, 7, 8 & 9 case diary have supported the case. It has also come in the FIR as well as in para no. 26 of the case diary during supervision that there is long existing land dispute between the parties. Further on perusal of the primary injury report and secondary injury report of Reena Devi and Dilip Yadav it appears that Reena Devi has sustained single head injury on frontal part of scalp and Dilip Yadav had also sustained single head injury on mid scalp (lacerated looking). Both the victims were referred to Sadar Hospital for NCCT head and X-ray, however on perusal of the supplementary injury report of both of the victims it appears that they have not appeared in the Sadar hospital for necessary X-ray and CT scan till 30.1.26 and as such the injuries have been opined simple in nature. Para no. 38 of the case diary also shows clean criminal antecedent of both the petitioners who are ladies.

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Considering the entire facts and circumstances of the case, land dispute case and nature of allegation against the petitioners, I consider it a good case for the grant of anticipatory bail to the present petitioners. Accordingly, they, in the event of their arrest/surrender in the Court within four weeks from the date of the receipt of copy of this order, are directed to be released on bail on furnishing bail-bond of Rs. 20,000 with two sureties of the like amount each to the satisfaction of the learned concerned court subject to the conditions as laid down under Section 438 Cr.P.C./482(2) of BNSS.

Sd/-
(Anindita Singh)
Addl. Sessions Judge -II

CIVIL COURT AURANGABAD