

In the court of District Addl. & Sessions Judge-II, Begusarai.
Presiding Judge: Brajesh Kumar Singh
A.B.A No- 297/2026
(Arising out of Birpur, P.S Case No- 07/26)

In the matter of:-

1. Bishekha Devi @ Bishakha Devi, W/O- Rajesh Mahto, aged about 49 years
 2. Punam Devi, W/O- Raja Mahto @ Raj Mahto, aged about 35 years,
 3. Sumitra Devi @ Subhadra Devi, W/O-Mukesh Mahto, aged about 42 years
- All are R/o- vill- Birpur, Ward No. 10, P.S.- Birpur, District- Begusarai.

.....Petitioners/Accused persons

Vs.

State of Bihar

.....Prosecution

Sri Ajay Kumar, Ld. Advocate for the petitioner/accused persons
Sri R.P. Yadav, Ld. Addl.P.P. for the state

ORDER

04.04.2026

1) The pre-arrest bail application under section 482 of Bharat Nagrik Suraksha Sanhita ("BNSS") on behalf of the accused-petitioners- (i) Bishekha Devi @ Bishakha Devi, (ii) Punam Devi, and (iii) Sumitra Devi have been preferred inasmuch as they have been apprehending their arrest in connection with Birpur P.S Case No- 297/26, registered for the offences punishable under sections 191(2), 190, 126(2), 115(2), 109(1), 352, 351(2) B.N.S., pending in the court of Sri Alok Kumar, J.M. Ist Class, Begusarai.

2) The prosecution story is based on the the written report of one, Sonu Thakur (informant) lodged before the S.H.O of Birpur P.S., in which he has alleged that on 18.01.2026 at around 8:20 P.M., his brother, namely Rohit Thakur came out from the house to go to another residence, then the neighbours namely (i). Robin Mahto, (ii). Ayush Kumar, (iii) Vishal Kumar, (iv) Vishakha Devi (Petitioner no. 1), (v) Punam Devi (Petitioner no.2), (vi) Sumitra Devi (Petitioner no.3), (vii) Prince Kumar, with common intention, thronged there, surrounded the informant's brother namely, Rohit Kumar. As per informant, the accused- Robin Kumar threatened him to get the sewage water of hand-pump flow towards informant house, and **Vishkha Devi exhorted to kill the informant's brother**. As per informant, Ayush Kumar assaulted on the head of

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Rohit Kumar by iron patti (rod) with the intention to cause death, because of which the informant's brother suffered head injuries. As per informant, Robin Kumar, with the butt of pistol, and Prince Kumar, with iron rod, have assaulted the grand-father of the informant, namely, Mohan Thakur on his chest and head, thereby injuring him badly. As per informant, informant was assaulted by Ayush Kumar by iron rod on his head. As per informant, the aforesaid ladies have pelted stones and bricks. As per informant, police came, and took the injured in the Birpur hospital by police-jeep. As per informant, Mohan Thakur was referred to Patna because his condition was grim.

3) I have heard the learned counsels for the parties.

4) From the perusal of record, it is clear that because of the assaults given by the accused-persons, as many as three (3) persons of the informant's family were injured. As per injury report of injured- Sonu Kumar in para no. 65 of the case diary, he suffered lacerated wound in the occipital region of scalp. As per para no. 66, the injured Rohit Thakur suffered lacerated wound in left side parital region of scalp. The injured- Mohan Thakur has suffered lacerated wound over right side of face. As per doctor, the injury was found grievous. The petitioner no.1 - Bishekha Devi @ Bishakha Devi gave exhortion, because of which the accused persons have caused injuries to abovesaid three(3) persons. Allegations against other two (2) petitioners, petitioner no.2 and 3 are general and omnibus. These three (3) petitioners are ladies, they have got no criminal antecedents. Since the allegations against the petitioner no.1 is specific of exhortion, her intention can be gauged, in prosecution of which, as many as three (3) persons were injured, hence the prayer of petitioner no.1 for **pre-arrest bail is hereby rejected, whereas the pre-arrest bails to petitioner no.2 and 3 are hereby granted.**

5) ABA No. 297/26 is hereby disposed in the following manner:-

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Petitioner No.	Name of the Petitioner	Result of pre-arrest bail
1.	Bishekha Devi @ Bishakha Devi	Rejected
2.	Punam Devi,	Allowed
3.	Sumitra Devi	Allowed

6) Let the petitioner no. 2 and 3 be enlarged on bail of Rs. 10,000/- with two sureties of like amounts in terms of the conditions enumerated in section 482 (2) of the B.N.S.S., in event of their arrest and surrender within fifteen (15) days from today.

Dictated

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(Brajesh Kumar Singh)
 District & Addl. Sessions Judge-II,
 Begusarai.
 04.04.2026