

IN THE COURT OF AMIT KUMAR, ADDL. SESSIONS JUDGE V, JAMUI

(A.B.P. No. 728/2026)

Arising out of Garhi P.S. Case No. 56/2026, District-Jamui

Mamta Devi Vs. State of Bihar

For Petitioner : Ld. Counsel Sri. Manoj Kumar Pandey.

For The State : Ld. Addl. P.P. and Ld. Private Counsel Sri. Neelam Yadav.

Date of order : 18.06.2026

1. The present anticipatory bail application has been filed on behalf of the accused petitioner namely Mamta Devi, aged about 27 years, W/o Bipin Yadav, resident of Village Darima, P.S.- Garhi, District- Jamui, who is apprehending her arrest in connection with Garhi P.S. Case No. 56/2026 registered under sections 126(2), 115(2), 118(1), 109(1), 352, 351(2) and 303(2) of the B.N.S.

2. As per the FIR, the informant Sunita Devi has alleged that the accused Bipin Yadav and Mamta Devi entered into the house of the informant; Mamta Devi, armed with a Talbar, assaulted Sunita Devi causing a cut on her hand, and thereafter assaulted the informant's son Pawan Kumar on the head with the Talbar, as a result of which his head was split open. It is further alleged that the accused persons took away twenty thousand rupees after breaking open the box and snatched a golden Hanuman ji and a silver chain from the neck of the informant and her son, on the basis of which the above FIR was registered against the accused persons.

3. Learned counsel for the petitioner submitted that the petitioner is quite innocent and has committed no offence and has falsely been implicated in this false and concocted case due to a family dispute. No other bail application on behalf of the petitioner is pending either before this Court or the Hon'ble High Court, Patna. It is further submitted that the present case is a cross-case of Garhi P.S. Case No. 55/2026, which was lodged by the non-petitioner Bipin Yadav with respect to the assault committed by the informant side, wherein it is alleged that the informant, his son and husband assaulted Bipin Yadav and his wife Mamta Devi by an axe causing serious injury. It is submitted that the informant's side was the aggressor, and the petitioner has not assaulted the informant or others. It is further submitted that as per the injury reports the nature of the injuries is simple in nature. Therefore, it has been prayed that the accused petitioner may kindly be enlarged on anticipatory bail.

4. On the other hand, learned Addl. P.P. for the State and the learned private counsel for the informant have opposed the prayer for anticipatory bail and have pointed out that the petitioner has a criminal antecedent vide Khaira P.S. Case No. 146/2021.

5. Heard both the parties in detail and perused the record.

6. The FIR has been registered for the offences punishable under sections 126(2), 115(2), 118(1), 109(1), 352, 351(2) and 303(2) of the B.N.S. The injury reports have been perused. As per the injury report dated 27.03.2026 of Pawan Kumar (aged about 12 years), examined by Dr. Nawal Kishore, M.O., C.H.C. Khaira, a lacerated wound on the frontal region of the skull of size 1.1/2" x 1/6" x 1/8" was found, caused by a hard and blunt object, and the X-Ray of the skull

was reported as normal, the nature of injury being opined as simple in nature. As per the injury report dated 27.03.2026 of the informant Sunita Devi, a lacerated wound on the right wrist and an abrasion on the right hand finger were found, both opined to be simple in nature.

7. On perusal of the record, it transpires that though there is an allegation of assault, snatching and theft against the petitioner, the injury reports reflect only simple injuries upon the informant and her son, and there is no grievous injury caused. It further transpires that the present case is the cross-case of Garhi P.S. Case No. 55/2026, suggesting a counter-version between the parties arising out of a family dispute. Considering the nature of the injuries being simple in nature and the entire facts and circumstances of the case, this Court is of the considered view that the petitioner is entitled to the privilege of anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, quantum of punishment, nature of allegation against the petitioner, and particularly the simple nature of the injuries as per the injury reports, the anticipatory bail application of the petitioner namely Mamta Devi is hereby allowed. Accordingly, it is ordered that in the event of arrest or surrender of the above-named petitioner before the court below within a period of four weeks from the date of this order, she shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned court below, with the conditions as laid down under section 482(2) of the B.N.S.S.

Dictated

Sd/-

Addl. Sessions Judge - V, Jamui

Copy forwarded to the court concerned

Addl. Sessions Judge - V, Jamui