

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
ANTICIPATORY BAIL PETITION NO. 409/2026
(Arising out of Manihari P.S. Case No. 55/2026)

Vidya Devi & Others

... Petitioners

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the petitioners:-
Ld. Counsel for the State :-

Sri Rajendra Karn, Advocate
Sri S.N. Singh, APP

Date of hearing/Disposal: 23.04.2026

ORDER

This anticipatory bail petition has been filed on behalf of the accused petitioners namely (1) Chhotu Kumar @ Chhatwa, (2) Vidya Devi, (3) Sukhari Mahto @ Sunil Mahto, (4) Raja Kumar @ Raj Kumar, and (5) Pariya Devi, who are apprehending their arrest in connection with Manihari P.S. Case No. 55/2026 for the offences registered U/s 109, 126(2), 115(2), 76, 352, 3(5) of BNS. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State. Accused petitioners namely Chhotu Kumar @ Chhatwa and Sukhari Mahto @ Sunil Mahto have withdrawn their names from the present anticipatory bail petition and as such, the present anticipatory bail petition is only for the rest of the petitioners namely (1) Vidya Devi, (2) Raja Kumar @ Raj Kumar, and (3) Pariya Devi.

Heard the Ld. counsel for the petitioners and the learned A.P.P. for the State.

The Ld. counsel of the petitioners has submitted that no B.P. or A.B.P. on behalf of the accused petitioners have been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioners are quite innocent and have committed no offence and they have been falsely implicated in this case due to village politics. There is no date mentioned in the FIR that when the petitioners demanded money to withdraw from Bandhan Bank. Accused Pariya Devi is an old woman, aged about 72 years, who is own cousin mother-in-law of the informant. There is an inordinate delay in lodging of the F.I.R. That the petitioners have no any criminal history. The petitioners are local persons and no chance of their absconding. The petitioners are ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of B.P. filed on behalf of the above named accused petitioners and submitted that the petitioners have committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioners.

The case of the prosecution, in brief, is that on 23.09.2025 at about 03:00 PM, informant was coming from Manihari Market and when she reached at Ambha Bhatta, accused persons surrounded the informant Pinki Devi, accused Chhotu Kumar assaulted

the informant on her head with Hasua with an intention to kill her as a result of which, she sustained head injury and accused Sukhari Mahto tried to outrage modesty of the informant. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioners and the Ld. Add. P.P. for the State and perused the Case Diary. The present Manihari P.S. Case No. 55/2026 has been registered U/s 109, 126(2), 115(2), 76, 352, 3(5) of BNS against the accused persons. Petitioners are named accused of the FIR. There is specific allegation of assaulting the informant on her head with hasua against the accused Chhotu Kumar @ Chhatwa. Moreover, the allegation of outraging modesty of the informant is against the accused Sukhari Mahto. There is no specific allegation against the present petitioners. Furthermore, the injury sustained by the injured Pinki Devi is found to be simple in nature. Petitioners have clean antecedent and they are ready to cooperate during investigation and trial of the present case. There is no chance of absconding or tampering with the evidence by these petitioners.

Hence, considering the above facts and circumstances of the case, the present anticipatory bail petition of the above named accused petitioners namely (1) Vidya Devi, (2) Raja Kumar @ Raj Kumar, and (3) Pariya Devi are hereby **allowed** and the petitioners in the event of their arrest or surrender **within four (4) weeks of this order**, shall be admitted to bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of the court.

(Sunil Kumar Singh-III)
D.A.S.J.- III, Katihar
23.04.2026