

In the court of Additional sessions Judge-II

A.B.P. No – 2342 of 2026.

(Arising out of Digha PS Case no – 352 of 2026.)

Baby Devi and others..... Petitioners

Vs.

The State of Bihar..... Opposite party

Sr. No.	Date	Order with signature of the Court	Office Action/s taken with Date
19.06.26		An anticipatory bail petition filed on behalf of accused 1. Baby Devi, aged about 45 yrs, H/o Lt. Vir Kuar Rai 2. Ajay Kumar aged about 22 yrs, S/o Lt. Vir Kuar Rai 3. Arti Kumar, aged about 21, D/o Lt. Vir Kuar Rai 4. Vijay Kumar, aged about 23 yrs, S/o Lt. Vir Kumar Rai 5. Nitesh Kumar, aged about 25 yrs, S/o Ganesh Kumar all resided of Mohalla-Kurji Kotiya, Vikash Nagar, Durga Chowk PS-Digha, Dist.-Patna in connection with Digha P.S. case no – 352 of 2026 for the offence U/S 126(2), 115(2), 109(1), 303(2), 352, 351(2) and 3(5) BNSS. Heard the learned counsel for the petitioners as well as the learned Addl. P.P. for the state and perused the case-diary. The prosecution case as per written application of the informant Amarjeet, in brief, is that on 17.04.2026 at about 08:30 PM when he went to ask her relatives why they assaulted his tenant unnecessarily, the accused family members confronted him as an organized group, armed with dangerous weapon like iron rods and an axe. He further alleged that Bebi devi said that the others to kill him, following her direction her son Vijay Kumar struck Amarjeet on the head with an axe, cracking his head open. During the fight Aarti Kumari allegedly snatched a 10 gram gold Hanuman Locket from his neck and stole Rs. 9000/- in rent cash from his pocket. Due to the severity of his head injuries, his family first rushed him to hospital, where he is currently undergoing treatment. Learned counsel appearing on behalf of the petitioners has submitted that the petitioners have quite innocent and they have not committed any offence at all, they have falsely been implicated in this case due to ulterior motive of the informant. Ld. Counsel further contends that the informant is all allegations given by the informant made the ornaments against the petitioners. Nothing incriminating article has been recovered from possession of the petitioners. The injuries sustained on the person of the injured persons are simple in nature caused by hard blunt object. Both parties are Gotiya and there is case and counter case between the parties. The petitioners have got no criminal antecedent. Hence the petitioners deserve to be released on bail. On the other hand learned Addl. P.P. opposed the prayer for bail of the petitioners contending that investigation against the petitioners is still continuing. Heard both sides, perused the record, case-diary and other materials available on the record. From perusal of the same, it transpires that there is no specific allegation of any overt act against the petitioners, rather allegation is general and omnibus nature without any medical proof of assault. There is case and counter case	

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between both the parties. The petitioners have got no criminal antecedent vide Para-30 of the case-diary.

Cont....
19.06.26

Having considered the above facts and circumstances as well as the material available in the case diary and also seeing the nature of allegations as well as in the view of the argument advanced by the learned counsel for petitioner I am inclined enlarge the petitioner on anticipatory bail. In event of arrest or surrender of the petitioners within six weeks from the date of receipt the copy of order, let the petitioners as above noted be enlarged on bail on furnishing bail bond of Rs. 10,000/ with two sureties like amount each to the satisfaction of learned A.C.J.M.- IX, Patna under subject to the condition as laid down under section 482(2) of B.N.S.S. 2023.

Dictated,

Sd/-

Addl. Sessions Judge-II, Patna.

19.06.2026.

Date of Judgment/Order	19-06-2026
Date of Reserving Judgment/Order	19-06-2026
Uploading Date	19-06-2026
Uploaded by	Niranjan Kumar Ojha