

In the Court of District & Additional Sessions Judge-II
Rosera , District-Samastipur
A.B.P. No. 42-C of 2026
C.I.S. No. 42-C of 2026
(Arising out of Hasanpur P.S. Case No. 03 of 2026)

In the matter of

Swati Kumari @ Chulbul Kumari..... Accused/ Petitioner.

VS.

State of Bihar. Prosecution/O.P.

On behalf of the state/prosecution- Sri Ram Kumar, Ld. APP.

On behalf of the petitioner- Sri Satikant Sahni Ld. Advocate.-

01.06.2026

ORDER

The present anticipatory bail petition has been filed on behalf of the accused petitioner namely **Swati Kumari @ Chulbul Kumari** in connection with Hasanpur P.S. Case No. 03 of 2026 under Sections-126(2), 115(2), 75, 109, 352, 351(2) 3(5) of B.N.S.

As per the F.I.R., the prosecution story, in brief, is as follows-

The informant Ramchandra Mahto has stated in his fard-byan that on 25.12.2025, during the construction of a bathroom on his land, a dispute arose after an electricity wire belonging to his pattidar was cut accidentally. Being aggrieved by this incident, all three F.I.R. named accused persons have abused and threatened to kill the informant. Later on, at about 4 P.M, all three F.I.R. accused allegedly came armed with sharp weapons and attacked on them. Rahul has misbehaved with his wife Reena Devi, threatening her with a sharp weapon and touching her inappropriately. When the informant intervened, Kiran Devi has assaulted the informant on his head with a Tengari with an intention to kill him. Due to the assault, the informant got badly injured. Rahul Kumar and Swati Kumari continued to assault the informant, causing him severe head injuries. He lost consciousness and later found himself admitted in the ICU at PMCH, Patna. In the background of aforesaid incident, the instant case has been lodged.

Ld. Counsel for the accused petitioner has submitted that no anticipatory or regular bail petition has ever been moved or pending or has been disposed of either by the Ld. Court of DASJ Rosera, or by the Hon'ble High Court, Patna. The petitioner has got no criminal history. As a matter of fact due to local politics this petitioner has been implicated in this case. The petitioners are ready to abide by the terms and conditions imposed by the learned court. There is no chance of her absconding or tempering with the evidence. Therefore, the bail may be granted to the petitioner.

On the other hand Ld. APP on behalf of state opposed the prayer for bail.

Heard both sides. On perusal of the record, it appears that there are direct

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allegations of assault to the informant against the accused petitioner. According to para 44 of the case diary, the accused petitioner has no criminal antecedent. Despite several correspondences, the injury report of the informant has not been submitted by the I.O. Lastly, with the consent of both the parties, this order is being passed on the basis of the material available on the record. So far as injury of the informant is concerned, some papers related with the treatment of the informant at PMCH, Patna have been filed by the parties. According to these documents, it appears that the doctor of the PMCH has found head injuries due to physical assault. A discharge ticket of the informant reveals that he was admitted in the PMCH on 25.12.2025 and discharged from there on 05.01.2026. It is obvious that the informant has been under treatment for 12 days as an in-door patient. Therefore, an inference can be drawn from the aforesaid information that the informant would have suffering from serious head injuries which takes as long as a period of 12 days to manage his injuries by the doctors. The allegations of assault against the accused petitioner is direct and specific. The case is under investigation.

In the light of the aforesaid discussion, it is not a fit case to grant anticipatory bail to the petitioner. Accordingly, the bail petition stands **rejected**.

Dictated

District & Addl. Sessions Judge -II
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