

In the Court of District & Additional Sessions Judge-II
Rosera , District-Samastipur
A.B.P. No. 1573 of 2026
C.I.S. No. 359 of 2026
(Arising out of Bithan P.S. Case No. 71 of 2026)

In the matter of

Ram Kumari Devi and another.....Accused/ Petitioners.

VS.

State of Bihar. Prosecution/O.P.

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

On behalf of the petitioner- Sri Vidhyanand Rai Ld. Advocate.-

10.07.2026

ORDER

The present anticipatory bail petition has been filed on behalf of the accused petitioners namely **1. Ram Kumari Devi 2. Stuti Kumari** in connection with Bithan P.S. Case No. 71 of 2026 under Sections- 126(2), 115(2), 109, 103(1), 303(2), 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, Sagar Devi stated in her application that on 24.05.2026 at about 06:00 AM, while she and her husband were out for morning walk. They saw that Stuti Kumari and Ram Kumari Devi are there in front of their house. They questioned them as to why they had sold the trees which are belonging to all three co-sharers. Being aggrieved by this question, they have abused and brutally assaulted the informant and her husband by knife and an iron-rod. They have snatched gold pendant from the informant. 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 petitioners have got no criminal antecedent. This case case filed solely with a view to counter the petitioners case. The present false case was invented by the information in camp and collusion with the local police. Nothing has been recovered from the accused persons and the allegation of theft is false and ornamental. The petitioners are quite innocent and have committed no offences. The petitioners are ready to abide by the terms and conditions imposed by the learned court. There is no chance of their absconding or tempering with the evidence. So, he prays to enlarge the accused petitioners on anticipatory bail.

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 allegations of assault against the accused petitioners by means of iron-rod and knife. Petitioners have declared in their bail petition that they have no criminal antecedent. Originally, the instant case was instituted for the offences punishable u/ss. 126(2), 115(2), 109,

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303(2), 352, 351(2), 3(5) of B.N.S. Later on, after the death of the informant, section 103(1) B.N.S. has been added in the case on the petition of the I.O. There are direct and specific allegations of assault against the accused petitioners due to which the informant sustained serious internal injuries. Later on, the informant was succumbed to her injuries. The post-mortem report of the deceased is available in para 69 of the case diary. The investigation in the case is still going on.

Considering the facts and circumstances of the case, gravity of offence and nature of allegation, this is not a fit case to grant an anticipatory bail to the accused petitioners. Accordingly, the anticipatory bail petition of the accused petitioners **1. Ram Kumari Devi 2. Stuti Kumari** stand **rejected**.

Dictated

District & Addl. Sessions Judge -II

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