

In the Court of **Puneet Kumar Garg**, Sessions Judge, Saran at Chapra
Anticipatory Bail Petition No. 1153 of 2026 (Maker P.S. Case No. 82/2026)

Rubi Devi & Ors. V/s State of Bihar

ORDER

S.No.	Date	Contents	Remarks
01	07.05.2026	<p>1. Heard learned counsel representing the petitioners-accused as well as learned Public Prosecutor representing the State on anticipatory bail petition of petitioners-accused, namely, <i>i. Rubi Devi, ii. Savita Devi & iii. Ram Saroj Devi</i>, apprehending their arrest in this Maker P.S. Case No. 82/2026, registered under Sections 126(2), 115(2), 109, 352 & 351(2) r/w 3(5) of the BNS, pending in the Court of <i>Smt. Nupur Priyadarshi</i>, learned JMFC, Saran at Chapra.</p> <p>2. FIR of this case has been registered on the basis of a written application of the informant, namely, <i>Malti Devi</i>, stating that on 09.03.2026 at about 05:00 P.M., she was sitting on her courtyard. In the meantime, the petitioner-accused, <i>Rubi Devi</i>, standing on the roof of her house, allegedly started abusing her. On objection, she came down, caught hold of her hair and threw her on the ground. Thereafter, the wife of <i>Akhilesh Rai</i> and the wife of <i>Bhuneshwar Rai</i> came armed with lathi-danda and assaulted the informant as a result of which she sustained injury on her head.</p> <p>3. It is contended on behalf of learned counsel representing the petitioners-accused that they are quite innocent and have not committed any offence as alleged in F.I.R. Next contended that earlier no ABP or regular bail has been filed on behalf of the petitioners-accused in this Court or Hon'ble High Court, Patna in connection with the present case and they have got clean antecedent except this one. Next added that there is a counter case against the informant of this case and her family members <i>vide Maker P.S. Case No. 89/2025</i>. Next contended that this case has been instituted only to harass the petitioners-accused and it is a mockery that the informant does not know the names of her neighbour's women. Next submitted that the petitioner-accused, <i>Rubi Devi</i>, lives in <i>Howrah, West Bengal</i> and she was taking treatment at <i>Howrah, West Bengal</i> on the day of the alleged occurrence. Next asserted that the case has been registered on false and bogus facts as the facts stated in the FIR are fabricated, concocted and without any basis. Next added that there is old enmity between both the parties regarding a land. Next contended that all the allegations levelled against the petitioners-accused are false, baseless and frivolous. Further submitted that the petitioners-accused are ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioners-accused may be enlarged on anticipatory bail.</p> <p>4. Per contra, learned Public Prosecutor representing the</p>	

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	<p>State vehemently opposed the prayer for anticipatory bail of the petitioners-accused.</p> <p>5. Heard both the sides and perused the relevant materials available on record. From the same, it appears that the present case is the counterblast to <i>Maker P.S. Case No. 89/2025</i>. It further transpires that the injury sustained by the informant/victim does not <i>prima facie</i> corroborate the ingredients of Section 109 of the BNS. Moreover, the remaining offences alleged against the petitioners-accused are bailable in nature.</p> <p>6. So, considering the facts and circumstances of the case, absence of criminal antecedent, the existence of counter case, the nature of injury, and the reasons mentioned herein-above, this Anticipatory Bail Petition, bearing No. 1153 of 2026, is hereby allowed. In the event of their arrest or surrender within one month from this order, the petitioners-accused, namely, <i>i. Rubi Devi, ii. Savita Devi & iii. Ram Saroj Devi</i>, be released on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Court concerned subject to the conditions as laid down u/s 482(2) of B.N.S.S., 2023 :-</p> <p>(I) That the petitioners shall make themselves available for interrogation by I.O., as and when required,</p> <p>(II) That the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the I.O. of the case,</p> <p>(III) That the petitioners shall not leave India without the previous permission of the Court,</p> <p>(IV) That the petitioners are directed to co-operate in trial and disposal of the case.</p> <p>[Dictated]</p> <p>(Puneet Kumar Garg), Sessions Judge, Saran 07.05.2026</p>	