

In the Court of Sessions Judge, Vaishali
A.B.P. No. 76/2026

1. Sunaina Devi, aged about 50 years, W/o Late Rajnath Paswan,
 2. Khushboo Devi, aged about 24 years, D/o- Late Rajnath Paswan,
 3. Usha Kumari, aged about 18 years, D/o- Late Rajnath Paswan,
All Resident of village-Lilo Mukundpur, P.S. -Tisiauta, District-Vaishali.
 4. Sujit Paswan, aged about 28 years, S/o-Naresh Paswan
Resident of Village Simarwara, P.S. Patepur, District-Vaishali,
at present Resident of village-Lilo Mukundpur, P.S. -Tisiauta, District-Vaishali.
- Petitioners

Verses

State of Bihar

O.P.

Appearance :-

Learned counsel for the petitioner : - Sri. Amresh Kumar Singh, advocate.
Learned P.P. for the State : - Sri Shyam Babu Rai,

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order: - 30th April 2026

Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioners under section 482 of B.N.S.S. who are apprehending their arrest in connection with Tisiauta P.S. Case No. 158/2025 registered u/ss. 126(2), 115(2), 76, 109, 303(2), 3(5), 352 and 351(2) of B.N.S.

It is stated in Para 2 of the anticipatory bail petition that earlier no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The prosecution case, in brief, is that on 17.09.2025 at about 10:00 A.M., the informant had gone to her old house situated in Village Lilo Rukundpur for the purpose of cleaning on the occasion of Vishwakarma Puja. At that time, the accused persons, namely Sunaina Devi, Khushboo Devi, Usha Kumari, along with other accused persons, came there, abused her in filthy language and objected to her presence, stating that she should not come there and should reside at her newly constructed house. When the informant protested, all the accused persons became aggressive and started assaulting her. Sunaina Devi, being armed with a sharp-edged weapon (hasuli), assaulted the informant on her head with intention to kill, causing

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serious bleeding injuries. Khushboo Devi and Usha Kumari also actively participated in the occurrence and instigated others, and Usha Kumari caught hold of the informant's neck and tried to strangle her, as a result of which she fell down on the ground. The accused persons surrounded the informant from all sides and continued to assault her mercilessly. During the course of occurrence, they also snatched away her gold ornaments, including a gold chain and other jewellery, collectively valued at around ₹1,60,000/-. On raising alarm, local villagers assembled, upon which the accused persons fled away from the place of occurrence, threatening the informant with dire consequences if she reported the matter to the police. The injured informant was subsequently taken to Sadar Hospital, Hajipur, where her statement was recorded by the police.

The learned counsel for the above-named accused petitioners submits that the petitioners are innocent, have been falsely implicated in this case and all the allegations are false, fabricated and concocted and baseless one. The petitioners were not involved, directly or indirectly, in the alleged occurrence. It has been further submitted by the learned counsel on behalf of the petitioners that the informant and the petitioners are pattidars and a land dispute is going on between both the parties. It is evident from the F.I.R. itself that petitioner no. 1, Sunaina Devi, has lodged a criminal case against the informant of the present case and his family members vide Tisiauta P.S. Case No. 159 of 2025 u/s 126(2), 115(2), 76, 303(2) and 3(5) of B.N.S. Due to this case, the informant has lodged this false and fabricated case against the petitioners. Besides this, the petitioners have no criminal antecedents. Hence, a prayer has been made to allow this anticipatory bail petition.

The learned Public Prosecutor for the State opposed the prayer for anticipatory bail.

Heard both the parties and also perused the case record and case diary. From perusal of the F.I.R. it appears that with respect to the petitioners namely Khushboo Devi and Usha Kumari, the allegation against them appears to be

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general and omnibus in nature, and there is no specific overt act against these petitioners of causing injury attributed to the injured.

Therefore, considering the aforesaid facts and circumstances of the case as well as nature of the allegations, the prayer for anticipatory bail of the petitioners namely Khushboo Devi and Usha Kumari is hereby allowed and it is ordered that in the event of arrest or surrender, they will be enlarged on anticipatory bail, on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned court below within four weeks of this order, subject to the conditions as laid down under section 482(2) of the B.N.S. 2023.

So far, petitioners namely Sunaina Devi and Sujit Paswan is concerned, on further perusal of case diary and record, it also transpires that there are direct and specific allegations against petitioner Sunaina Devi of assaulting the informant on her head by means of a sharp-edged weapon (hasuli) with intention to kill, resulting in bleeding injuries. The role attributed to the said petitioner is grave and falls within the ambit of a serious and violent offence. So far as petitioner namely Sujeet Paswan is concerned, there is specific allegations against him of active participation in the occurrence of assaulting to the informant, attempted to strangle her and also participated in snatching away valuable gold ornaments. His acts indicates his active involvement in the commission of the offence. The injury report of injured/informant Sarswati Devi shows that the injured Sarswati Devi has sustained :

1. Incised wound over left parietal skull of length 3 cm width 2 cm and depth 1 cm with bone deep. Matrgin regular, shape-linear.
2. Abrasion over front of skull.
3. Swelling over front of skull.

Nature of injuries is simple. Injury no. 1 occurred due to sharp object and injury no. 2 and 3 occurred due to hard object.

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The informant/injured in his re-statement in Para 04 and other witnesses vide para nos. 05 and 06 of the case diary have supported the factum of occurrence.

Therefore, considering the aforesaid facts, circumstances of the case as well as nature of the allegations, this court is not inclined to grant anticipatory bail to the petitioners namely Sunaina Devi and Sujit Paswan. Accordingly, the prayer for anticipatory bail of the petitioners namely Sunaina Devi and Sujit Paswan is hereby rejected.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali