

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33973 of 2020

Arising Out of PS Case No.-300 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Ajanti Devi, aged about 37 years, Female, Wife of Late Jitendra Bhagat,
Resident of Village - Dighi Kala, East, PS- Hajipur Sadar, District – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the State : None

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 23-03-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Nachiketa Jha, learned counsel for the petitioner.

3. Nobody appears on behalf of the State despite repeated calls.

4. The petitioner apprehends arrest in connection with Hajipur PS Case No. 300 of 2020 dated 17.05.2020, instituted under Sections 302, 364, 201, 420, 406 and 120B of the Indian Penal Code.

5. The allegation against the petitioner is of being party to the murder of the informant's father, Raju Sah, and co-villager Rajkumar Singh.



6. Learned counsel for the petitioner submitted that she is a lady having no criminal antecedent and is a Ward member. It was submitted that though as per the allegation, a motorcycle, registered in her name, having blood stain was recovered from the *darwaja*, but her house and *darwaja* are at a distance and she is not aware as to how blood stain was found on the motorcycle. It was further submitted that the petitioner cannot be expected to be party to the crime as she has no motive for the same. Learned counsel submitted that even in the FIR, the name of the son of the petitioner has been taken and even, for the sake of argument, if it is accepted that he was involved, for such act, the petitioner should not be held liable. Learned counsel submitted that there is nothing to connect the petitioner to the crime.

7. From perusal of the order of the learned Additional District and Sessions Judge, VIII, Vaishali at Hajipur dated 02.09.20220 in Anticipatory Bail Petition No. 1878 of 2020, by which the prayer for anticipatory bail of the petitioner was rejected, as also the allegations made in the FIR, it transpires that besides the blood stain on the motorcycle, blood on clothes and sack was also found at the house of the petitioner as also a sharp-edged weapon. It further transpires that many witnesses have supported the prosecution case.



8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

9. Accordingly, the application stands dismissed.

10. However, on submission of learned counsel for the petitioner, it is observed that if the petitioner appears before the Court below and prays for bail, within four weeks from today, the same shall be considered on its own merits, in accordance with law, without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	
T	

