

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1796 of 2023**

Arising Out of PS. Case No.-575 Year-2020 Thana- RANIGANJ District- Araria

Rabina Kumari D/O Umesh Sah R/O Village- Nagrahi, Ward No. 10, P.S.-  
Raniganj, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar Yadav

For the Opposite Party/s : Mr. Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      21-03-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends her arrest in Raniganj P.S.  
Case No. 575 of 2020 registered for the offences punishable under  
Section 302/34 of the Indian Penal Code pending in the Court of  
learned Chief Judicial Magistrate, Araria.

As per prosecution case, the petitioner along with co-  
accused persons and some unknown associates have committed  
murder of the informant's brother Munna Sah by strangulation.

Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in this case. He submits that  
there is no specific allegation against the petitioner and there is no  
circumstantial evidence against the petitioner in *fardebayan* along  
with case diary investigated by the I.O. of this case. He further  
submits that there is no criminal antecedent against the petitioner  
as mentioned in para 3 of this application.

Learned APP for the State vehemently opposing the



bail petition submits that specific overt act has been attributed against the petitioner. He further submits that the petitioner is named in the F.I.R. and from the impugned order it is clear that the petitioner is also involved in committing murder of the deceased. Hence, the petitioner does not deserve privilege of anticipatory bail.

Considering the facts and circumstances of case and the fact that there is incriminating material against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Raniganj P.S. Case No. 575 of 2020. The prayer for anticipatory bail of the petitioner is hereby rejected.

However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent.

**(Anjani Kumar Sharan, J)**

anand/-

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