

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12479 of 2025

Arising Out of PS. Case No.-9 Year-2023 Thana- KAMTAUL District- Darbhanga

Leela Devi Wife of Mr. Rajnandan Thakur Resident of Village - Sotiya
Bramhpur, P.S. - Kamtaul, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Ritwik Thakur, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in a case in connection with Kamtaul P.S. Case No. 09 of 2023 dated 11.01.2023 registered for the offence/s punishable u/s 341, 323, 324, 307 and 34 of the Indian Penal Code in which subsequently Section 302 of the the Indian Penal Code was also added.

3. As per the prosecution case, the informant's son went to see his field situated beside his orchard when he was talking on his mobile adjacent to orchard, the accused persons, namely, Raj Nandan Thakur, Santosh Thakur, Dhiraj Thakur and Leela Devi (petitioner) armed with Axe, Tengari and Spade came there and ordered to assault him. It is further alleged that all the accused persons caught hold of the informant's son and



thereafter Santosh Thakur assaulted on his head with back portion of a spade which hit his temple and as a result of the said blow, the victim fell down on the ground. The accused persons, Raj Nandan Thakur and Dhiraj Kumar started assaulting the victim with tengari and axe. When the informant's son became unconscious then the accused persons left him there and fled away from the place of occurrence. Thereafter, the informant's son was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place on 02.01.2023 but the alleged fardbeyan was allegedly recorded on 09.01.2023 and there is no explanation for the same. The petitioner has no concern with the alleged offence. There is no eye witness to the alleged occurrence. It is further submitted that from perusal of the impugned order, it appears that the injured died on 19.11.2023 i.e., after about ten months of the alleged occurrence and the cause of death has been opined due to Septicemia, Toxemia and shock. It is further submitted that the doctor did not reveal that the cause of death was Septicemia, Toxemia and Shock which was due to the wound sustained by him prior to death. It is submitted that the other co-accused



person, namely, Santosh Thakur has already been granted regular bail by this Court vide order dated 01.10.2024 passed in Cr. Misc. No. 47894 of 2024 and co-accused person, namely, Dhiraj Thakur has also been granted regular bail by a coordinate Bench of this Court vide order dated 26.07.2023 passed in Cr. Misc. No. 31460 of 2023. The petitioner has one clean antecedent as stated in paragraph no. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances as well as materials available on the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Darbhanga in connection with Kamtaul P.S. Case No. 09 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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