

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13182 of 2025

Arising Out of PS. Case No.-524 Year-2024 Thana- KHAGARIA District- Khagaria

Laxmi Devi W/O Doctor Yadav Resident of Baluahi, P.S.- Khagaria, District-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 18-04-2025 Heard Mr. Santosh Kumar Singh, learned counsel for
the petitioner and Mr. Uday Pratap Singh, learned APP for the
State.

2. The petitioner apprehends her arrest in connection
with Khagaria P.S. Case No. 524/ 2024 dated 05.11.2024
registered for the offence(s) punishable under Section(s) 25(1B)
(a), 26 and 35 of the Arms Act.

3. The main submissions advanced by petitioner's
counsel are that the petitioner is a lady and wife of the co-
accused, Doctor Yadav, as per the FIR, the recovery of alleged
firearms from the house of the petitioner is said to have been
made on 05.11.2024 at about 9.45 PM but the FIR's copy was
received in the office of CJM on 08.11.2024 and as per the
allegation, the police got the information that two parties are



engaged in assaulting as well as firing upon each other and petitioner's son and husband were alleged to have assaulted one Saurabh Kumar and caused him firearm injuries and as per allegation, that occurrence had taken place before 9.45 PM on 05.11.2024 but as per the FIR lodged by the said Saurabh Kumar of which copy has been filed as Annexure-2, the alleged occurrence with him took place at 6.45 PM on 05.11.2024 and further, the petitioner herself lodged Khagaria P.S. Case No. 526 of 2024 against the said Saurabh Kumar on 07.11.2024 and only thereafter, afterthought, in collusion with the said Saurabh Kumar, a false case was prepared and the FIR of the present matter was sent to court concerned on 08.11.2024. It is further submitted that the instant matter relates to the recovery of a 12 bore DBBL gun, one country made pistol and 23 cartridges from the house of the petitioner out of them, the DBBL gun is licensee of which license is in the name of petitioner's husband and in this regard, specific statement has been made in paragraph no. 12 of the petition and a copy of that license has also been filed as Annexure-4 to the petition and the recovery of country made pistol has been planted by the police. It is lastly submitted that there is no serious allegation against the petitioner and she simply opposed the police in searching her



house at the alleged time.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by the petitioner’s counsel, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Khagaria P.S. Case No. 524/ 2024 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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