

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13316 of 2025**

Arising Out of PS. Case No.-559 Year-2024 Thana- FATEHPUR District- Gaya

Rubi Devi @ Rubi Kumari Daughter of Shambhu Singh village- Pura, Ps-
Khizersarai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the State : Mr. Nirmal Kumar Sinha, A.P.P.
For the Informant : Mr. Chandra Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-03-2025 Heard Learned Counsel for the petitioner and Learned
APP for the State. Learned Counsel for the informant appeared
in this case *suo-moto*.

2. The present Cr. Misc. Application has been filed
under Section 482 of The Bharatiya Nagarik Suraksha Sanhita,
2023 (hereinafter referred to as "BNSS, 2023") for grant of
anticipatory bail to the petitioner who apprehends her arrest in
connection with Fatehpur P.S. Case No. 559 of 2024 lodged on
03.09.2024, for the offence punishable under Sections 126(2),
115(2), 109, 303(2), 351(2), 352 & 3(5) of the Bharatiya Nyaya
Sanhita, 2023 (hereinafter referred to as "BNS, 2023").

3. As per the prosecution, FIR has been lodged against
three named accused persons including the present petitioner



against whom there is allegation that they have assaulted the informant and her daughter. It has also been alleged in the FIR that petitioner's daughter had thrown hot milk upon the informant's daughter due to which 90% of the body of informant's daughter was burnt and subsequently, she was admitted to the hospital due to her critical condition.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that it is a family dispute and the present case has been lodged by the petitioner's father. Counsel submits that under a certain conspiracy, petitioner's name has been inserted in this case and the entire allegation is false and concocted. Counsel further submits that petitioner has no criminal antecedent.

5. Learned Counsel for the informant who appeared *suo-moto* in this case, vehemently opposes the prayer for bail of the petitioner and submits that the informant (petitioner's father) is the sufferer at the hands of petitioner and her daughter and husband who are elder daughter and son in law of the informant.

6. Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner and her daughter in the FIR. Counsel



further submits that upon perusal of the impugned order, it has come that petitioner’s daughter had thrown hot milk upon the victim by which victim was burned badly.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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