

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14868 of 2025

Arising Out of PS. Case No.-816 Year-2024 Thana- BIHTA District- Patna

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Dewanti Devi Wife of Late Dhananjay Yadav @ Dhananjay Rai Resident of
Vill- Kunjawa, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mahesh Narayan Parbat, Sr. Advocate
	:	Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-05-2025 Heard Mr. Mahesh Narayan Parbat, learned senior

counsel for the petitioner and Mr. Md. Nazir Ansari, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Bihta P.S. Case No. 816 of 2024, F.I.R. dated 30.08.2024 for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. As per the First Information Report, the petitioner along with other accused persons murdered the son of the informant, namely, Avnish Kumar and one Pratima Kumari (daughter of the petitioner). It is further alleged that the dead body of both the deceased were recovered from a house, which fell in share of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been



implicated in the present case merely on the basis of suspicion. The petitioner is the wife of late Dhananjay and mother of deceased, namely, Pratima Kumari. It appears from the FIR that the informant is not the eye witness of the alleged occurrence and co-accused, namely, Vishal Kumar who is apprehended and who happens to be the son of the petitioner has already confessed his guilt and and other co-accused persons, namely, Sanjay Kumar Yadav @ Sanjay Yadav and Meena Devi have been granted privilege of anticipatory bail in Cr.Misc.No. 3011 of 2025 vide order dated 08.05.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and she has been made accused merely on the basis of suspicion, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-1, Danapur, Patna in connection with Bihta P.S. Case No. 816 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure / Section 482(2) of the Bhartiya Nagarik
Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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