

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15595 of 2025

Arising Out of PS. Case No.-266 Year-2023 Thana- PIPRAHI District- Sheohar

Divyanshu Kumari @ Divyanshi Kumari D/O Prabhu Paswan R/O Village -
Dekuli Dharampur , P.S.- Poprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr.Devendra Kumar, Adv.
For the Opposite Party/s :		Mr.Rajendra Nath Jha, APP

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

ORAL ORDER

3 20-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Piprahi P.S. Case No. 266 of 2023 dated 11.12.2023 registered for the offences punishable u/ss 341, 342, 323, 354, 354B, 302, 504, 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant was taking water from hand-pipe (*Chapakal*) inside of her house, in the meantime, the daughter of Prabhu Paswan (*bhaisur* of the informant) namely, the petitioner, Divyanshi Kumari has also come for taking water and thereafter, the petitioner, Divyanshi Kumari started assaulting the informant. On hulla, the co-accused, Prabhu Paswan and his wife Rina Devi came there and told them that they would kill her and her husband. It is further alleged that during the scuffle, the



co-accused, Prabhu Paswan tore the informant's saree and blouse due to that the informant started to cry for save then her husband Manoj Paswan came for rescue, the co-accused, Prabhu Paswan, his daughter and Rina Devi assaulted on the chest of the informant's husband with legs, fists and slaps with intent to kill due to which the informant's husband died on the place of occurrence. When the informant's husband was taken to the hospital where the doctor has declared him dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is own niece of the informant and there is general and omnibus allegation against the petitioner. The petitioner has no intention to kill the deceased. Learned counsel has further submitted that no any external injury was found on the chest of the deceased as per the post-mortem report except abrasion on the neck and finger. Learned counsel has further submitted that from perusal of the case record, it appears that no witness has stated about the heart disease of the deceased. It is further submitted that the informant has received Rs. 1,90,000/- as compensation for her husband death on the ground of heart disease from Chief Minister Medical Assistance Fund through Directorate Health Services, Bihar, Patna. The charge-sheet has been submitted against the petitioner. The co-accused person has already been granted regular bail by this court vide order dated 07.10.2024 passed



in Cr. Misc. No. 31403/2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of her 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, Sheohar in connection with Piprahi P.S. Case No. 266 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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