

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21781 of 2025

Arising Out of PS. Case No.-145 Year-2024 Thana- ASARGANJ District- Munger

1. Jaimanti Devi W/O Giro Bind @ Girbar Bind Village- Prushottampur, Chourgaon, P.S.- Asarganj. Distt.- Munger
2. Giro Bind @ Girbar Bind S/O Late Dhodhay Bind Village- Prushottampur, Chourgaon, P.S.- Asarganj. Distt.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate
For the State : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-07-2025 Heard Mr. Ranjeet Patel, learned counsel for the
petitioners and Mrs. Anita Kumari, learned APP for the State.

2. Vide order dated 23.04.2025, the bail application of petitioner no. 2, namely, Giro Bind @ Girbar Bind has already been withdrawn as he has been arrested.

3. The petitioner no. 1 is apprehending her arrest in connection with Asarganj P.S. Case No. 145 of 2024, F.I.R. dated 23.10.2024 registered for the offences punishable under Sections 103(1), 3(5) of the B.N.S.

4. Allegation against the petitioner no. 1 is that she along with other co-accused persons have killed the wife of the informant with knife.



5. Learned counsel for the petitioner no. 1 submits that the petitioner no. 1 is innocent and she has been falsely implicated in the present case. He further submits that the petitioner no. 1 is an accused in one case i.e. Mahila P.S. Case No. 17 of 2014 in which she is on bail and the matter has been compromised between the parties. As per allegation in the F.I.R., the petitioner no. 1 has assaulted by means of knife upon the deceased. Learned counsel for the petitioner no. 1 submits that both the parties are agnates to each other and although there is specific allegation against the petitioner no. 1 (but from perusal of the postmortem report which suggests that postmortem was conducted over the person of the deceased at 01:40 P.M. on 23.10.2024 and the present F.I.R. was instituted at about 03:15 P.M. on 23.10.2024 which suggests that after the postmortem report, the F.I.R. was instituted after getting the result what was the reason of death of the deceased then the F.I.R. has been instituted against the petitioner and other accused persons. Informant is not eye witness of the alleged occurrence.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner no. 1.

6. Considering the aforesaid facts that the



postmortem was conducted before the lodging of the F.I.R. so petitioner may get benefit of that, let the petitioner no. 1, above named, in the event of her 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Munger in connection with Asarganj P.S. Case No. 145 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner no. 1 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.

(2) If the petitioner no. 1 tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioner no. 1 and in case at any stage, it is found that the petitioner no. 1 has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner no. 1. However, the acceptance of bail bonds 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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