

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22905 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- THALI District- Nawada

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Tuni Devi @ Tunni Devi W/O Lalan Pandey R/O Village- Mahugai, P.S.-
Thali, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 19-11-2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends her arrest in connection
with Thali PS Case No. 217 of 2024 registered for the offences
punishable under Sections 80, 85, 115(2), 352, 351(3) & 3(5) of
the Bharatiya Nyaya Sanhita, 2023 and Sections 3/4 of the Dowry
Prohibition Act.

3. Earlier vide order dated 31.01.2025, passed in Cr.
Misc. No. 82245 of 2024, anticipatory bail of the petitioner was
dismissed as withdrawn.

4. At the outset, learned counsel for the petitioner
submits that the present second anticipatory bail of the
petitioner is not maintainable. He further submits that vide order



dated 31.01.2025, passed in Cr. Misc. No. 82245 of 2024, anticipatory bail of the petitioner along with two other accused persons were rejected and those two other accused persons have been enlarged on regular bail.

5. Learned counsel for the petitioner submits that the petitioner is a chronic kidney patient undergoing continuous medical treatment, and her remand to custody may lead to serious health complications. It is further submitted that she is presently receiving treatment in Delhi. He, therefore, prays that sympathetic view may be taken keeping in view her medical condition.

6. Considering the above facts and circumstances of the case, this Court is of the view that present second anticipatory bail petition is not maintainable and the same is hereby dismissed as not maintainable.

7. However, in the interest of justice, and considering the fact that the petitioner is kidney patient presently undergoing treatment in Delhi, she is directed to surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order and pray for regular bail. The court below shall consider her prayer for regular bail in accordance with law, without being prejudiced by this order,



and preferably on the same day, keeping in view the medical exigency of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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