

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25279 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- Bhawanipur District- Bhagalpur

Nutan Devi W/O Navin Singh Resident of Village- Manoharpur, P.S-
Bhawanipur, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bhawanipur P.S. Case No. 01 of 2025 registered for the offences
punishable under Sections 191(2), 191(3), 190, 333, 109, 103,
125(a), 352 of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, petitioner and others
armed with deadly weapon came at the door of informant and
started abusing the informant's son. It is alleged that co-accused
Guddu Kumar fired which hit on the chest of informant's son
and armpit of Sunita Devi. Thereafter, petitioner and others
started pelting stones. It is alleged that after the occurrence
informant's son and Sunita Devi were taken to hospital but
informant's son was declared dead by the doctor.



4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that there is case and counter case between both the parties and on account of previous enmity petitioner has been falsely implicated in the present case. He further submits that there is no allegation of firing against the petitioner rather the allegation of firing is against co-accused Guddu Kumar and the postmortem report reflects that deceased died due to shock and haemorrhage caused by firearm injury. He further submits that there is no specific overt-act against the petitioner rather the same is general and omnibus in nature. Petitioner is in custody since 04.01.2025. He further submits that petitioner bears criminal antecedent of one case in which she is on bail. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the



prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Naugachia, Bhagalpur in connection with Bhawanipur P.S. Case No. 01 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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