

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27461 of 2025

Arising Out of PS. Case No.-220 Year-2024 Thana- AURAI District- Muzaffarpur

Ravina Devi, aged about 33 years, Gender-Female, W/o Jagat Ray, R/o
Village- Prayagchak, P.S.- Aurai, Dist.- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Santosh Kumar, Advocate

For the Opposite Party : Mr. Dr.Mrityunjaya Kr. Gautam, A.P.P.

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

ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioner, learned counsel
for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Aurai
P.S. Case No. 220 of 2024 dated 12.10.2024 registered for the
offences punishable under Sections 103(1), 238 read with
Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the informant had gone
outside for his livelihood. It is further alleged that on
04.10.2024 at about 9.00 P.M., his villager, namely, Bijali Das,
came to his house and took his father Thaga Rai (deceased) to
his house by alluring him for eating and drinking. The
informant's father had Rs. 2,50,000/- with him. It is further
alleged that the co-accused Bijali Das committed murder of his



father, Thaga Rai, with the assistance of his associates at his house after giving him food and took the said amount of Rs. 2,50,000/- from him. They also threw the dead body of his father in the running water for destroying the evidence. The villagers of the informant had seen the co-accused Bijali Das and his associates coming from the place of occurrence at 3.00 A.M.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is the daughter-in-law of the deceased and she is not named in the F.I.R. No incriminating article has been recovered from the possession of the petitioner. The name of the petitioner has surfaced in the present case during the course of investigation on the disclosure made by some villagers. There is no specific allegation against the petitioner. There is no eye witness to the alleged offence and only on the basis of suspicion, the petitioner has been made accused in the present case. It is further submitted that on the alleged date of occurrence the area of the petitioner was surrounded with flood and the deceased Thaga Rai was very old person used to live on the *Bandh* and on the alleged date of occurrence, he fell in the water due to flood



and thereafter he lost his life which is evident from the postmortem report and no ante mortem injury was found either externally or internally on the dead body of the deceased. The informant came from the outside and cremated the dead body of his father and thereafter has filed the present false case against the petitioner in a planned manner. It is further submitted that the alleged occurrence took place on 04.10.2024 and the F.I.R. was lodged on 12.10.2024 after a lapse of eight days and for the delay in lodging the F.I.R., no explanation has been given by the prosecution. The petitioner is a lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 01.02.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail petition of the petitioner. Learned counsel for the informant has further submitted that although the petitioner is not named in the F.I.R., but her name has come in course of investigation. It is further submitted that the statement of the witness Dilip Rai has been recorded, which is in paragraph no. 8 of the case diary, in which he has stated that there was flood in the village on the alleged date of occurrence for which he was at his door and he saw that the deceased Thaga Rai and his daughter-in-law Ravina



Devi (petitioner) on 04.10.2024 at about 9.00 P.M., were going towards the house of the co-accused Bijali Das. His house is situated between the house of the deceased Thaga Rai and the co-accused Bijali Das. He has further stated that there was illicit relationship between the co-accused Bijali Das and Ravina Devi (petitioner) for which the deceased used to protest and for the aforesaid reason, the co-accused Bijali Das committed murder of the deceased. It is further submitted that the statement of the other witness Chedi Rai has also been recorded, which is in paragraph no. 10 of the case diary, in which he has stated that on 04.10.2024 at about 7.00 P.M., he saw that the co-accused Bijali Rai was coming towards the house of Thaga Rai (deceased) and after sometime, the deceased Thaga Rai and his daughter-in-law Ravina Devi (petitioner) had went somewhere from their house and on the next day i.e., 05.10.2024, the dead body of the deceased Thaga Rai was found. He has further stated that there was illicit relationship between the co-accused Bijali Das and Ravina Devi (petitioner) which was being protested by Thaga Rai (deceased) and for this reason, Bijali Rai committed murder of Thaga Rai (deceased). The doctor has conducted postmortem of the deceased, which is in paragraph no. 16 of the case diary, and the doctor has opined- 'The deceased died due to asphyxia



as a result of ante mortem drowning’.

6. Considering the aforesaid facts and circumstances of the case as well as the accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Aurai P.S. Case No. 220 of 2024, pending in the court of learned Judicial Magistrate-Ist Class, Court No. 3, Muzaffarpur (East)/Competent Jurisdiction.

7. The application stands rejected.

8. The learned trial court is directed to expedite the trial of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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