

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33263 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- DARIHAT District- Rohtas

Sunita Devi W/o Kalendra Kumar Resident of Nand tola, Huraka, P.S-
Darihat, Distt.- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sadanand Roy, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending her arrest in connection with Darihat P.S. Case No. 107 of 2024 registered for the offences punishable under Sections 103(1) read with section 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short the 'B.N.S.').

3. The allegation against the petitioner is to assault the husband of informant by using the handle of hand-pump causing head injury as a result of which husband of the informant died in hospital during course of his treatment.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated only for the



reason that she is the wife of main co-accused namely, Kalendra Kumar, who assaulted on the head of the husband of informant by using the handle of hand-pump. It is submitted that while recording her statement under section 180 of the B.N.S.S., the informant categorically stated that it was only the husband of the petitioner namely, Kalendra Kumar who assaulted on head of her husband during course of occurrence. It is pointed out that petitioner is said to be a lady of clean antecedent.

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

6. In view of the aforesaid factual submissions and by taking note of the statement of the informant as recorded under Section 180 of the B.N.S.S. during course of investigation, where she categorically stated that fatal assault was made by husband of the petitioner, coupled with the fact that petitioner is a lady of clean antecedent, accordingly, above-named petitioner, in the event of her arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/-



(ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Dehri, District - Rohtas, in connection with Darihat P.S. Case No. 107 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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