

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34650 of 2025

Arising Out of PS. Case No.-59 Year-2020 Thana- GURARU District- Gaya

Kamla Devi W/o Gajendra Mistry Resident of village- Barorah, P.S.-
Nauranga, Distt.- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the State : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending her arrest in connection with Guraru P.S. Case No. 59 of 2020 registered for the offences punishable under Sections 147, 149, 326, 307, 323, 341 of the IPC.

3. As per prosecution case, petitioner and others made quarrel with the informant's husband due to partition and share in the property. It is alleged that petitioner and others put k. oil on the body of informant's husband and lit fire as a result of which he sustained severe burn injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and due to dispute of partition she has falsely been implicated in this case. Learned counsel further submits that the



FIR has been lodged after due thought and deliberation and basically, the informant's husband committed suicide due to dispute in the family and the petitioner as well as informant's family is related to each other and there is partition dispute in between both the parties and the petitioner has no role whatsoever as alleged in the FIR. He further submits that on account of dispute related to partition of property, the entire allegation has been made just to pressurize the petitioner and her family. Learned counsel further submits that occurrence took place on 27.05.2020 and after two days of the alleged occurrence the informant's husband died and after death of informant's husband postmortem was conducted by the doctor who opined that death was caused due to burn and its complications. Learned counsel orally submitted the even the statement of informant's husband has not been recorded. Learned counsel further submits that petitioner is lady and bears criminal antecedent of one case in which she is on bail. It has been orally submitted that said case is also filed by the same party.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that name of petitioner finds place in the FIR and she cannot escape from the



liability of allegation levelled in the prosecution story.

6. Considering the facts and circumstances of the case, petitioner is lady, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of her arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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-X, Gaya in connection with Guraru P.S. Case No. 59 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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