

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36844 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- KIUL RAIL P.S. District- Lakhisarai

Aarti Kumari W/O Late Dharmendra Kumar Sao, D/O Snehi Sao R/O Vill.-
Mahisauna, P.s.- Tetarhat, Dist.- Lakhisarai, At Present R/O Adarsh Laxmipur,
P.s.- Barhiya, Dist.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Syed Alamdar Hussain, Advocate Mr. Sudhir Kumar, Advocate Mr. Prem Kumar, Advocate Mr. Ashutosh Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 11-09-2025 Heard Mr. Syed Alamdar Hussain, learned counsel for
the petitioner and Mr. Bharat Bhusan, learned APP.

2. The petitioner is apprehending her arrest in connection with Rail Kiul P.S. Case No. 09 of 2025 for the offence under sections 103(2) and 61(2) of the BNS and Section 27 of the Arms Act lodged on 21.01.2025 by the informant, Aarti Kumari

3. As per the prosecution story, the informant who ironically is the present petitioner alleged that her husband had come to the Court in Lakhisarai and she was also present in the Court and after the process was over, while she returned her home at Mahisona, the husband returned to his village. Soon



thereafter, she got information that in the Train No. 13024, Gaya – Howrah Express, her husband has been shot at. As she rushed to the place, found him dead near platform no. 3 at the station. Alleging conspiracy against named accused, on the ground of land dispute, the FIR.

4. As the story unfolds, after investigation, it came to light that she was unhappy with the land that was being sold by the husband, her brother Chandan played an important role and after his arrest, gave the entire details how they moved along with friend and ensured the killing.

5. Learned counsel for the petitioner submits that in any case, even going by the confessional statement, the role of brother/friends have come but save and except the fact that she was opposing the selling of the land, no further allegation is there. The last submission is that Chandan Kumar and some of his friends have been granted bail by the learned Sessions Judge.

6. Learned APP, Mr. Bharat Bhushan opposes the prayer submitting that not only she was opposing the selling of the land, the fact that her brother and associates played an important role, her implication cannot be ignored. The last submission is that pursuant to the processes under Section 82



and 83, of the Cr.P.C, the Police has already attached the property.

7. Considering the facts that have emerged as also the materials on record, coupled with the fact that the police has already executed the process, it would be appropriate that the petitioner seeks bail.

8. The anticipatory bail application stands rejected.

9. However, if the petitioner surrenders and seeks bail in four weeks, the Court concerned shall take into account the fact that in the alleged shooting, the brother has not named her, is a lady and further, as informed by Mr. Hussain, learned counsel for the petitioner that her brother and some of friends have been granted bail by the Court concerned while disposing of her bail application preferably on the same day.

10. It is made clear that nothing recorded in the present order shall be taken into account while taking up her bail application.

(Rajiv Roy, J)

Adnan/-

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