

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40122 of 2025**

Arising Out of PS. Case No.-41 Year-2025 Thana- BIHIA District- Bhojpur

Geeta Devi @ Gita Devi W/o Punjabi Prasad R/o Mohalla- Nauniya Gali,
Judge Bazar, Bihiya, P.S.- Bihiya, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sintu Devi Wife of Raju Kumar R/o Mohalla- Judge Bazar, Bihiya, P.S.-
Bihiya, District- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dudhnath Singh, Adv.
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh, APP
For the O.P. No.2	:	Mr. Rajnish Kumar Choubey, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the O.P. No.2.

2. The petitioner seeks bail in connection with Bihiya
P.S. Case No. 41 of 2025 instituted for the offences under
Section 103(1) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the
petitioner is of committing murder of the Informant's three
months old daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against her and has falsely been implicated in the present case.
He further submits that there is no eye-witness to the alleged



occurrence. Even the Informant is not the eye-witness in this case. He further submits that from perusal of the F.I.R., it appears that the same was prepared on 12.02.2025 for the cognizance offence but, the same was registered on 13.02.2025 that too without there being any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner further submits that the informant realizing her mistake has filed a petition before the learned court of Judicial Magistrate, 1st Class, Ara, Bhojpur stating therein that due to take undue advantage, the present case was lodged. The petitioner has one criminal antecedent and is languishing in judicial custody since 13.02.2025 without any rhyme or reason. Charge-sheet has been submitted in this case against the petitioner.

5. On the other hand, learned A.P.P. for the State and the O.P. No.2 have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner being lady, let the petitioner, abovenamed, be



released on bail, on furnishing bail bonds of Rs.15,000/-
(Rupees Fifteen Thousand) with two sureties of the like amount
each to the satisfaction of Court below/concerned Court in
connection with Bihiya P.S. Case No. 41 of 2025.

(Rudra Prakash Mishra, J)

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