

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45939 of 2025

Arising Out of PS. Case No.-63 Year-2023 Thana- AWTARNAGAR District- Saran

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Fula Devi Wife of Late Ram Lagan Rai Resident of Village-Santha, PS-
Awatarnagar , District- Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 17-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Awatarnagar P.S. Case No. 63 of 2023 dated 03.03.2023,
instituted for the offence punishable under Sections 302/34 of
the Indian Penal Code.

3. The prosecution case, in short, is that the petitioner
as well as other accused persons keep their cattle in the land of
the informant. When the informant objected then all the accused
persons assaulted the father of the informant namely, Bhuwar
Rai by means of lathi and danda and they also crushed his
stomach on account of which, he was badly injured and fell
down. However, he died during the course of treatment.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and she has been falsely implicated in this case. It is further submitted that the petitioner is an advanced age lady of about 65 years old. The occurrence took place on 27.02.2023 but the FIR was lodged on 03.03.2023 i.e. after three days of the occurrence without any plausible explanation. It is next submitted that there is no specific allegation against the petitioner rather the allegation levelled against the petitioner is general and omnibus in nature. It is further stated that it is evident from the post-mortem report of the deceased that except one abrasion injury, no any other injury was found on the body of the deceased whereas the FIR mentions that four accused persons have assaulted the deceased and have crushed his stomach by mounting on his body but neither any injury has been found on the stomach of the deceased nor on any other parts of the body of the deceased. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Awatarnagar P.S.



Case No. 63 of 2023, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st, Class, Saran at Chapra subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

Sankalp/-

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