

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42505 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- KORHA District- Katihar

Rita Devi S/o Pramod Singh, D/o Ram Singh Resident of Village- Fulwariya,
P.S.- Korha, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 09-07-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehend her arrest in connection with Korha P.S. Case No.272 of 2024 lodged on 05.10.2024, for the offences punishable under Sections 80/ 3(5) of the BNS, 2023.

3. As per the prosecution, FIR has been lodged against three named accused persons including the petitioner with allegation that upon non-fulfillment of demand of motorcycle, daughter of the informant was tortured and subsequently, killed by her In-laws family.



4. Learned Counsel for the petitioner submits that the petitioners is innocent and has committed no offence. Counsel also submits that marriage was solemnised on 20.02.2021 and occurrence took place on 28.09.2024 for which U. D. case has been lodged on 29.09.2024. He further submits that from the content of FIR, it becomes crystal clear that information about death of the deceased has been communicated to the informant's family on 28.09.2024 and thereafter, well within the knowledge of informant's family U.D. Case has been lodged. But after lapse of about one week, the present FIR has been lodged in which petitioner and others were made accused.

5. Counsel further submits that post-mortem report has been annexed in which it become crystal clear that no external injury has been found except bruise on the right side of cheek.

6. Counsel submits that the criminal antecedent of the petitioner is clean. He further submits that death has not been ascertained and therefore, viscera has been preserved.

7. Counsel further submits that informant's family after realizing that case has been lodged under misinformation, a petition has been filed before District and Sessions Judge, but anticipatory bail has been rejected before the Sessions Court and



then petitioner moved before this Hon’ble Court.

8. Learned APP for the State opposes the prayer for bail of the petitioners and submits that from the record, it transpires that firstly, U.D. Case then, FIR then, application for intimating to the Court under misinformation, case has been lodged.

9. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Katihar in connection with Korha P.S. Case No.272 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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