

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58480 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- HIRAMMA P.S. District- Sheohar

Sumitra Devi @ Fulwa Devi, W/O Shivaji Ray @ Shivaji Singh, R/O Village-
Harnahi, PS and Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner
and learned A.P.P. for the State.

2. Petitioner apprehends her arrest in connection with Hiramma P.S. Case No. 31 of 2025 registered for the offences under Sections 137(2), 140(3), 3(5) of the B.N.S.

3. As per the prosecution case, the informant has alleged that the marriage of her daughter was solemnized in the year 2015 with the son of one Jagdish Nayak, but their relationship did not continue and, thereafter, since 2024 the daughter of the informant has been living with him. It is further stated that in



the evening of 21.03.2025, the daughter of the informant was enticed by Sumitra Devi @ Fulwa Devi (petitioner), who concealed her in her house. It is further alleged that the informant apprehended that the petitioner would perform marriage of the daughter of the informant with one Bajrangi Sah.

4. Learned counsel for the petitioner submits that the present case is totally false and frivolous and has been lodged with malicious intentions. It has been submitted that the daughter of the informant was neither recovered from the conscious possession of the petitioner nor found in her house. It has been submitted that it was on mere suspicion that the petitioner has been named in the present case. The learned counsel for the petitioner pointed out towards the statement of the victim girl recorded under Section 164 of the Cr.P.C., recently, by the learned Court below, wherein the victim daughter of the informant has not



stated anything about the petitioner and, in fact, has stated that she had gone on her own and staying in a hotel and had also married to one Amar Mishra. She has categorically stated that she will go along with her mother-in-law and father-in-law. It has lastly been submitted that the petitioner has got clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Hiramamma P.S. Case No.



31 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of her bail bond.

(v) The learned Court below shall verify the criminal antecedent of the



petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

(Sourendra Pandey, J)

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