

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53218 of 2025

Arising Out of PS. Case No.-409 Year-2024 Thana- JHAJHA District- Jamui

Baby Yadav @ Baby Devi W/o- Manoj Yadav Village- Rajla Ps- Jhajha Dist-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pankaj Kumar Sinha
For the Opposite Party/s	:	Mr.Jitendra Kumar Singh
For the Informant	:	Mr. Amar Prakash, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with ST
No. 255 of 2025 arising out of Jhajha P.S. Case No. 409 of 2024
(G.R. No. 2185 of 2024) registered for the offences punishable
under Sections 191(2), 191 (3), 190, 333 and 103(1) of B.N.S

3. As per prosecution case, petitioner and other
came at the house of the informant and it is alleged that co-
accused Vinod Yadav and Bittu Kumar, upon the instigation of
the petitioner, assaulted the informant's father by means of axe
upon his head as a result of which he sustained severe injuries
and during the course of treatment, informant's father
succumbed to the said injury.



4. Learned counsel for the petitioner submits that petitioner is in custody since 08.03.2025. Petitioner being a lady having no criminal antecedent. Learned counsel orally submits that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that dispute was continuously running in between Kashi Yadav and Binod Yadav for land. Learned counsel further submits that so far as allegation in the FIR is concerned, petitioner was merely an order giver and there was no specific overt-act of assault against the deceased. It is further submitted that deceased was *Bhaisur* of the petitioner. Petitioner is quite innocent and has falsely been implicated in the case.

5. The learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submits that petitioner is one of the party to the alleged occurrence and she does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, petitioner being a lady having no criminal antecedent, there is no specific overt-act of assault against the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on



record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI-Jamui in connection with ST No. 255 of 2025 arising out of Jhajha P.S. Case No. 409 of 2024 (G.R. No. 2185 of 2024), subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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