

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63647 of 2025

Arising Out of PS. Case No.-61 Year-2009 Thana- LAXMIPUR District- Jamui

Nimia Devi W/O Khurhari Yadav Resident of Village- Mangrar, P.S.-
Laxmipur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-09-2025 At the outset, learned counsel for the petitioner is permitted to make correction in the prayer portion of the petition in course of the day.

2. Heard Mr. Ajit Kumar, learned counsel for the petitioner and Mr. Binod Kumar, learned APP for the State.

3. Petitioner seeks regular bail in connection with Laxmipur P.S. Case No. 61/ 2009 dated 28.05.2009 registered for the offence(s) punishable under Sections 302 and 201 read with section 34 of the IPC.

4. The main submissions advanced by the petitioner's counsel are that the petitioner is a lady, in the entire FIR, there is no specific allegation against her, the FIR has been registered against five named accused persons, this petitioner and mother-in-law of the deceased and 2-3 unknown persons allegedly



involved in the killing of the informant's son but no specific role of this petitioner has been revealed in the commission of the alleged occurrence, among the accused persons, several have been granted the relief of regular bail or anticipatory bail and the petitioner's prayer was rejected by the trial court considering her intentionally evading arrest during the pendency of the investigation but the petitioner never evaded her appearance before the police and the petitioner was chargesheeted showing her as an absconder but the I.O. did not take any attempt to inform the petitioner about registration of FIR against her and later on, the petitioner surrendered immediately after getting the information of the submission of chargesheet against her. It is further submitted that petitioner has been languishing in jail since 08.12.2024.

5. The learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that the petitioner wrongly took the plea that she had no information of this case as other co-accused persons who are relatives of this petitioner and named in the FIR were granted the relief of bail by the trial court or this court, so, by this fact it cannot be deemed that the petitioner had no information about the registration of the FIR against her.



6. Heard both the sides and perused the trial court's order. Though, the petitioner remained absconding for a long period and there is no plausible explanation on her part for not appearing before the I.O., however, considering her present custody period, which has been about nine months, and completion of investigation against her coupled with the fact that several co-accused persons are on bail and in the entire FIR, there is no specific allegation against the petitioner, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail in connection with Laxmipur P.S. Case No. 61/ 2009 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned. However, the petitioner shall be released after framing of charge if the same has not been framed till date.

(Shailendra Singh, J)

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