

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71578 of 2025

Arising Out of PS. Case No.-140 Year-2023 Thana- JANDAHA District- Vaishali

Baby Devi @ Baby Kumari, aged about 30 years, W/o Sunil Ray @ Sunil Rai
R/o Vill- Fathua Pakari, Ward No.-3, P.S.- Mahua, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aniket Singh, Advocate

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 10-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier the prayer for bail of this petitioner was rejected by this Court vide order dated 20.04.2024 passed in Cr. Misc. 27277 of 2024 with an observation that ‘learned Trial Court is directed to conclude the trial within a period of one year from the date of receipt of a copy of this order and if the trial could not be concluded within specified period, the petitioner would be at liberty to renew the prayer for bail.’ Secondly, the prayer for bail of this petitioner was dismissed as withdrawn by this Court vide order dated 22.08.2025 passed in Cr. Misc. 16301 of 2025 with an observation to the petitioner to ‘renew the prayer for bail before Trial Court and the Trial Court



is directed to consider the prayer for bail without being prejudice of the present order.’

3. The petitioner is in custody in a case registered for the offences punishable under Sections 302, 120(B)/34 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that petitioner along with her husband (co-accused) has killed the younger son of the informant.

5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that there is no any specific allegation against the petitioner and no overt act has been done by the present petitioner. He next submits that on the date of occurrence, the petitioner was attending the marriage of informant’s sister’s son in the village, hence, she was no present at the place of occurrence where the incident took place. He next submits that petitioner is a lady and is under judicial custody since 14.05.2023 and has got no criminal antecedent as stated in para-3 of the bail petition.

6. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

7. On perusal of the First Information Report,



impugned order dated 02.09.2025, it appears that petitioner is in custody since 14.05.2023 which is more than two years and charges have been framed against the petitioner on 07.07.2025 and also the fact that earlier vide order dated 20.04.2024 passed in Cr. Misc. 27277 of 2024, the learned Trial Court was directed to conclude the trial within specified period but till date the trial is not in progress. So, considering the aforesaid facts and circumstances of the case and submission of learned counsel for the petitioner, let the above named petitioner be released on 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 District and Sessions Judge-IV, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 140 of 2023.

(Ramesh Chand Malviya, J)

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