

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69924 of 2025

Arising Out of PS. Case No.-300 Year-2025 Thana- NAUTAN District- West Champaran

Lakshminiya Devi @ Lakshmaniya Devi, W/O Akalu Chaudhary R/O
Village- Khadda Khujali Kunjalahi Ward No. 03, Police Station- Nautan,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of her
arrest in Nautan P. S. Case No.300 of 2025 registered for the
offences punishable under Sections 126(2), 115(2), 61(2), 109,
351(4), 352 of B.N.S. and Section 103(1) of the B.N.S. has been
added later on.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a woman
and the informant alleges that after the death of her husband, she
married her Devar. Further, on 18.06.2025, she was feeding
milk to her son aged about 03 years, while her two daughters
were playing and the accused persons including the petitioner



were sitting at their door, who are her agnates and were talking amongst each other when all of a sudden, Jagan came and stabbed her son and thereafter stabbed her when she tried to save her son causing injury on abdomen. Thus, alleges that accused persons in conspiracy committed the occurrence to usurp her property. Further, neighbours took her son to the hospital.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case being mother of Jagan. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that petitioner is not alleged to have assaulted either the child or the informant. It is also submitted that since there is dispute relating to property, as such, the informant implicated the entire family members of Jagan.

5. The learned APP vehemently opposes the anticipatory bail application and submits that informant died during the course of treatment and allegation is of stabbing a 03 year old child by Jagan. It is next submitted that no doubt, petitioner is not alleged to have assaulted the child and the informant, but then, from perusal of the allegations as alleged in the FIR, it would manifest that informant specifically alleges



that petitioner along with her family member including Jagan were sitting at the door and were talking amongst themselves, when Jagan all of a sudden came and committed the occurrence of stabbing the child. It is submitted that it absolutely does not stand to reason that when Jagan stabbed the child why the petitioner and other family members did not come to the rescue of the informant and the child. It is next submitted that presence of the accused person including the petitioner at the place of occurrence emboldened Jagan to commit the occurrence.

6. Considering the submission made by the learned APP, the court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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