

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71013 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

Lilawati Devi W/o- Rajendra Tiwari Village- Anantpura PS-Ramgarh District-
Kaimur Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate.

Mr. Subhash Kumar Tiwari, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2025

1. Heard learned Senior counsel for the petitioner Mr.

Krishna Prasad Singh, learned A.P.P. for the State Mr. Chandra Bhushan Prasad and the learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 103(1), 3(5) of the B.N.S. and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

3. Learned Senior counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and the informant alleges that his son was coming back home after cleaning the temple, when he was intercepted by the accused persons including the petitioner and the accused persons said to kill him, on which, Santosh fired but then



missed, thereafter again fired causing injury on chest, leading to his death.

4. Learned Senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of firing is against Santosh, who has been arrested. It is further submitted that since petitioner is mother of Santosh as such she also came to be implicated along with all her family members. It is further submitted that the petitioner has been named an accused in the case in order to coerce Santosh into submission. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no motive for the occurrence is alleged. It is also submitted that petitioner is a senior citizen and is a person with clean antecedent and all of a sudden has been implicated in a case relating to murder which her son committed. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but then are not in a position to



rebut the submission of the learned Senior counsel appearing on behalf of the petitioner that petitioner is not the assailant and is mother of Santosh.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Ramgarh P.S. Case No.212/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

