

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77820 of 2024

Arising Out of PS. Case No.-335 Year-2024 Thana- BANIAPUR District- Saran

Rita Devi W/o- Shri Jay Mangal Singh Village- Rajauli, P.S.- Baniyapur,
District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-01-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Baniyapur (Baniapur) P.S. Case No. 335 of 2024 instituted for the offences under Sections 103(1), 3(5) of the BNS and 27 of the Arms Act.

3. Prosecution case, in short, is that, while the informant along with his sons was irrigating his field, the accused persons came and started assaulting his son. On the order of the co-accused Santosh Singh, co-accused namely Rohit Pandey fired upon the son of the informant, due to which he died. It is alleged that this petitioner instigated the co-accused persons to kill the deceased.



4. Learned counsel for the petitioner submitted that the petitioner is innocent lady and has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The specific allegation of firing is against co-accused namely, Rohit Pandey. There was land dispute between the informant and the accused persons. The co-accused person has already been granted bail by this Court vide order dated 02.12.2024 passed in Cr. Misc. No. 80619 of 2024. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, petitioner being lady having no specific allegation of assaulting the deceased as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Baniyapur
(Baniapur) P.S. Case No. 335 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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