

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82330 of 2025

Arising Out of PS. Case No.-144 Year-2025 Thana- PHULWARIA District- Begusarai

Sulena Devi W/O Late Sanjay Mahto @ Late Sanjay Mahton R/O Village -
Phulwaria (Phulwaria- 03) Barauni nagar Parishad, ward No.- 12, Near NH-
28, Bakhtar Sthan, P.S- Phulwaria ,District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 64(1), 69,
89 and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is a woman and
the informant alleges that she worked in the field of Anish and
she came in his contact and Anish established physical relation
on pretext of marriage, on account of which she became
pregnant, and thus disclosed about the pregnancy to Anish and
his family members including the petitioner who is sister-in-law
(*Bhabhi*) of Anish, thereafter the accused persons brought her to



life care clinic where he was operated, but the child had died, further Pankaj and petitioner stayed in the clinic with her for 3-4 days and when her parents were informed they fled.

4. Learned 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 informant herself alleges that she came in contact with Anish and they established physical relation as Anish had promised to marry on account of which she became pregnant. The learned counsel for the petitioner also submits that though the petitioner in the FIR has been described as sister-in-law of Anish, but then she is widow aunt of Anish, which amply demonstrates that the informant is not even aware of the relationship of the petitioner with Anish and she came to be implicated only with a view to coerce Anish into submission. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of her arrest or surrender before the learned trial court 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 Phulwaria P.S. Case No. 144 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

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 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.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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