

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2101 of 2025

Arising Out of PS. Case No.-107 Year-2023 Thana- SAHAJITPUR District- Saran

Umawati Devi @ Umrawati Devi W/O Bhikham singh R/O Village- Bangoli
Patti, P.S- Sahajitpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Informant and the State . Informant and the
State

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 24-07-2025 Heard learned counsel for the petitioner, and the
learned APP for the State .

2. Petitioner apprehends her arrest in a case registered
for the offences punishable under Sections 302, 201/34 of the
Indian Penal Code.

3. The allegation in the FIR is that 7 accused persons
including the petitioner along with 5 to 6 unknown persons had
called the son of the informant Kunal kumar to their house and
on the next day, upon inquiry the accused persons had informed
him that the deceased had taken away the daughter of petitioner
and fled away. Subsequently, the dead body of the deceased was
found hidden under the earth whereafter, the police was



informed and the post mortem was done.

4. Learned counsel for the petitioner submits that although the petitioner was one of the accused in the FIR and there is general and omnibus allegation against all the accused persons and nothing specific has surfaced during the course of investigation against the petitioner. The post mortem report , indicates that the deceased had a stab injury and the nature of injury suggests that this petitioner would not have been involved in the killing of the deceased. It has also been submitted that on account of love affair between the deceased and daughter of the petitioner, the entire family members have been made accused in this case. Learned counsel for the petitioner also points out the fact that although the informant had knowledge that his son was missing since 11.08.2023, yet the present case was lodged after delay of two days, only after the dead body was recovered. The petitioner is a lady and has no criminal antecedent.

5. The learned APP opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner's name appears in the FIR as one of the persons, in whose house the deceased had been called. It has also been pointed out that the accused Dharmendra Kumar Singh was granted privilege of regular bail



only after filing of charge sheet although, he is not one of the persons, who was named initially in the FIR as an accused.

6. Considering all the above mentioned facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, her prayer for anticipatory bail in connection with Sahajitpur P.S.Case No. 107 of 2023, pending in the court of Chief Judicial Magistrate, Saran at Chapra stands rejected. However, if the petitioner surrenders before the court below and prays for regular bail, the same shall be considered on its own merits without being prejudiced by the present order.

(Soni Shrivastava, J)

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