

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33237 of 2026

Arising Out of PS. Case No.-117 Year-2025 Thana- HASANPUR District- Samastipur

Ummiya Devi @ Umiya Devi W/o- Upendra Sahni Resident of village-
Deodha Ward No 4 Police Station-Hasanpur District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Advocate
	:	Mr. Pravin Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 103(1), 3(5) of the
B.N.S., 2023.

3. As per the prosecution case, it is alleged that the
petitioner along with other co-accused killed the husband of the
informant.

4. Learned counsel for the petitioner submits that
the petitioner happens to be the mother of the deceased and
mother-in-law of the informant. It is submitted that there is no
eye-witness to the occurrence and as a matter of fact, since
there was some matrimonial and domestic dispute, the



petitioner has been made an accused in the present case by the informant with the allegation of causing death of her own son. However, there is no specific allegation and the First Information Report is also based upon suspicion as the FIR itself indicates that she was informed by the villagers that her husband was assaulted by her *devar* Surendra Sahni and her mother-in-law i.e. the present petitioner. It is further submitted that the postmortem report indicates that the deceased has died due to manual strangulation and the petitioner being a lady had no role to play in the same. There is also a delay of one day in lodging of the FIR and the petitioner is in custody since 25.06.2025, which is more than a year and specific averment has been made in paragraph-13 that charges have been framed. Petitioner has no criminal antecedent and she undertakes to cooperate in the trial.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that the petitioner happens to be mother of the deceased and with no criminal antecedent she has remained in custody for more than a year



and charges have already been framed, coupled with the fact that the petitioner undertakes to cooperate in the trial, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-IIInd, Rosera, District-Samastipur /concerned Court below in connection with Hasanpur P.S. Case No. 117 of 2025 subject to condition that:-

(i) The petitioner shall cooperate in the trial and make herself available as and when so required and in case of failure, her bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

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