

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44620 of 2026

Arising Out of PS. Case No.-222 Year-2025 Thana- PURNEA SADAR District- Purnia

Aarti Kumari Daughter of Kailash Sah Wife of Raju Mukhiya, Resident of Mohalla - Maharajganj, Ward No. 3, Near Doon Public School, P.S.- Sadar, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Sadar P.S. Case No. 222 of 2025 dated 02.05.2025 registered for the offence punishable under Section/s 317(4), 317(5), 111 of the B.N.S., 2023.

3. As per the prosecution case, acting on secret information, the police apprehended one Naveen Kumar, who allegedly confessed of committing thefts along with his sister, Aarti Kumari and Prem Kumar. Pursuant to his disclosure, a search of his house was conducted, leading to the recovery of various suspected stolen articles, following which he was arrested.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Counsel for the petitioner, by referring to the contents of the F.I.R., submits that for an allegation of having kept the stolen articles, there is no F.I.R. to identify those seized materials to be stolen article still, the petitioner has been implicated in this case merely on the basis of the confessional statement of the co-accused Navin Kumar. It has next been submitted that on raid being conducted, the articles are said to have been recovered from the house of co-accused Navin Kumar, while nothing is said to have been recovered from the constructive possession of the petitioner. It is further submitted that the co-accused Navin Kumar has already been granted regular bail vide order dated 09.01.2026 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 542 of 2026. Lastly, it is submitted that the petitioner has two criminal antecedents and in both of them, she is on bail.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that nothing has been recovered from the constructive possession of the petitioner and as also the petitioner having no criminal antecedent, let the petitioner,



above named, be released on anticipatory bail in the event of her arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 222 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of her bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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