IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78041 of 2026

CNR No. BRHC011091012026

Arising Out of PS. Case No.-47 Year-2026 Thana- ASHTHAWAN District- Nalanda

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Anjali Devi W/o Raju Singh R/vill- Langari Bigha, P.S.- Deepnagar, Distt.- Nalanda, Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rahul Kumar, Adv.
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is apprehending her arrest in connection with Asthawan P.S. Case No. 47 of 2026 for the offence punishable under sections 305(a), 331(4) of the BNS lodged on 10.02.2026 by the informant, Avinash Kumar.

3. As per the prosecution case, it has been alleged that there has been trespass by breaking the lock of the door and the valuables as well as the household items were looted away from the house of the informant. Accordingly, the FIR.

4. Learned counsel for the petitioners submits that from the First Information Report itself, it is evident that the FIR is against unknown and the petitioner has falsely been implicated in this case on the basis of confessional statement

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made by one co-accused, Raju Singh who is said to be the husband of the petitioner. It is well settled that the confessional statement of a co-accused made before the police in custody does not have any evidentiary value. It has further been submitted that nothing incriminating has been recovered from the constructive possession of the petitioner or from the aforesaid co-accused, Raju Singh, husband of the petitioner. Learned counsel further submits that the husband of the petitioner, namely, Raju Singh has been enlarged on bail. Petitioner has got clean antecedent and she has been implicated in this case on the basis of suspicion.

5. Learned APP opposes the prayer for anticipatory bail by submitting that the petitioner shares the joint liability being the wife of Raju Singh, the co-accused, though he concedes that there has been no recovery of any incriminating article from any of them.

6. Considering the nature of allegation which does not manifest the complicity of this petitioner, she has been dragged into this case only on the basis of the confessional statement of her husband, nothing incriminating has been recovered from her constructive possession and she has got clean antecedent, this Court is inclined to extend her the

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privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of six weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Sri Aishwarya Priya, learned ***Judicial Magistrate, 1st Class, Nalanda at Biharsharif/the court concerned*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document 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 his/their 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;

(iv) the petitioner(s) shall desist

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from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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