

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90474 of 2025

Arising Out of PS. Case No.-111 Year-2025 Thana- CHANPATIA District- West Champaran

Pratima Devi W/o- Late Rohit Yadav, R/v- Ahir Toli, Puraina, PS-
Chanpatiya, Dist- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sarvesh Kashyap, Advocate
For the State : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Chanpatiya P.S. Case No. 111 of 2025 dated 27.06.2025, registered for the offences punishable under Sections 103(1) and 238 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the dead body of the brother of the informant was found near railway track. On further enquiry by the informant, he came to know about the petitioner, the wife of the deceased, and other co-accused persons who killed his brother and threw the body near railway track.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner is innocent and she has falsely been implicated in the present case. There is no substantive material against the petitioner, except the suspicion of the informant. Moreover, the FIR has been lodged after delay of more than 3 months. Initially, a UD case was registered for death of the brother of the informant and after the *post-mortem* report came, showing strangulation to be the cause of death of brother of informant, this false case has been lodged. Learned counsel further submits that petitioner was legally wedded wife of the deceased and on the alleged date of occurrence, a small quarrel took place between the petitioner and the deceased, and the deceased went outside in a drunken condition and petitioner went to sleep. Thereafter, she had no knowledge regarding what had happened. Though she subsequently came to know that her husband had succumbed to injuries caused in a train accident and his dead body was lying in a maize field. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 25.07.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that the petitioner along with her paramour and other



co-accused strangled the brother of the informant to death and this fact came to notice after *post-mortem* was conducted, otherwise it was being treated as a UD case.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is a lady and also considering the nature of allegation against her and the material available on record and further considering clean antecedent of the petitioner, her period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran / concerned Court, in connection with **Chanpatiya P.S. Case No. 111 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates



*or in violation of the terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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