

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.880 of 2026

Arising Out of PS. Case No.-833 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Hemlata Kumari @ Hemlata Devi @ Kumari Hemlata W/o Binod Sah
Resident of Village- Patahi Hari, PS- Sadar, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-01-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.595 of 2025 (arising out of Sadar P.S. Case no.833 of 2024) registered under sections 103(1), 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that on the orders of the petitioner, co-accused Amar Kumar resorted to firing with a pistol provided by co-accused Binod Sah as a result of which Rohit Kumar died. It is further stated that on the orders of Dashrath Sah, the accused also fired upon Janki Devi who also died. The informant further states that the occurrence has taken place for the reason that Binod Sah and the



petitioner are involved in illegal activities of sale of liquor and drugs which was opposed to by the informant.

4. Learned counsel for the petitioner submits that the petitioner who happens to be a lady has been falsely implicated in the case. Accepting the allegations levelled in the FIR for the sake of argument, the petitioner is described to be an order giver. The overt act of firing is alleged against co-accused Amar Kumar. The allegation of the petitioner being involved in illegal activities are false and incorrect. The petitioner has no criminal antecedent. She is in custody since 29.4.2025 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the petitioner who happens to be a lady has been alleged to be an order giver, the allegation of firing being on a co-accused, the petitioner having remained in custody for more than 8 months since 29.4.2025 and having no criminal antecedent together with chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.595 of 2025 (arising out of



Sadar P.S. Case no.833 of 2024) 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 District and Additional Sessions Judge 5th, Muzaffarpur.

(Partha Sarthy, J)

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