

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.1486 of 2025

Prema Devi aged about 47 years, wife of Suresh Prasad Yadav, resident of village Ganpatbagi, P.O. Sarua & P.S. Gawan, District-Giridih. Petitioner.

-Versus-
The State of Jharkhand Respondent.

CORAM : HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioners : Mr. Govind Ray Karan, Advocate
For the State : Mrs. Bandana Sinha, A.P.P.

Order No.03 **Date: 28.03.2025**

1. The petitioner is apprehending her arrest for the offence punishable under Sections 304-B/34 of the Indian Penal Code in connection with Gawan P.S. Case No. 31 of 2024 pending in the court of Judicial Magistrate-1st Class, Giridih.
2. Learned counsel for the petitioner submits that the petitioner's anticipatory bail application was earlier rejected by this Court vide order dated 20.09.2024 passed in A.B.A. No. 6025 of 2024. By way of present anticipatory bail application, the petitioner has renewed her prayer for grant of anticipatory bail primarily for the reason that subsequent to rejection of her anticipatory bail application, co-accused Suresh Prasad Yadav (husband of the deceased) has already been granted regular bail by a co-ordinate Bench of this Court in connection with the present case vide order dated 27.01.2025 passed in B.A. No. 9956 of 2024. It is further submitted that during investigation, it came to light that the petitioner was not present at the place of occurrence. Under the said circumstance, she may be given the privilege of anticipatory bail.

3. Learned A.P.P., while opposing the petitioner's prayer for anticipatory bail, submits that earlier vide order dated 20.09.2024 passed in A.B.A. No.6025 of 2024, the case of the petitioner was considered on merit and her prayer for grant of anticipatory bail was rejected. Even if it has been found in course of investigation that the petitioner was not present at the place of occurrence, considering the nature of the offence alleged against her, the said aspect has no such material bearing. Hence, she may not be given the privilege of anticipatory bail.
4. Having heard learned counsel for the parties and considering that the petitioner's anticipatory bail application has earlier been rejected on merit by this Court vide order dated 20.09.2024 passed in A.B.A. No.6025 of 2024 and the petitioner has not been able to make out any fresh ground for reconsideration of the same, I am not inclined to grant privilege of anticipatory bail to her.
5. Accordingly, present anticipatory bail application is hereby rejected.

(Rajesh Shankar, J.)

Rohit/