

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11712 of 2024**

Arising Out of PS. Case No.-55 Year-2023 Thana- CHAUTHAM District- Khagaria

Preeti Kumari @ Preti Kumari @ Prity Kumari @ Priyati Kumari D/O
Nanhku Paswan Village- Narayan Pur , Ps.- Narayan Pur, Dist. Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 08-05-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, informant's daughter Nibha Devi was married to one Pankaj Paswan 15 years back and had four girl children from the said wedlock. With the passage of time, said Pankaj Paswan solemnized love marriage with his sister-in-law (sali). Thereafter, accused persons started committing torture and harassment to the victim. Informant alleged that on 21.02.2023 he got message by victim's father-in-law that his daughter has died. When the informant reached the matrimonial house of his daughter, he knew that petitioner and her family members killed his daughter by



hanging.

4. Learned counsel appearing for the petitioner submits that though there was love affair between the petitioner and husband of the deceased, but there was no marriage between them. As a matter of fact, victim committed suicide due to misunderstanding between the victim and her husband. There is no eye witness of the occurrence. Petitioner has falsely been implicated due to suspicion and save and except suspicion, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence. Informant also took part in the cremation of victim, but due to ulterior motive, afterthought, he lodged the instant case implicating the petitioner and other family members. There was no external injury on the person of the deceased as per the post mortem report.

5. Considering the fact that the petitioner is a lady and save and except suspicion, no tangible material has been collected during course of investigation to reflect her complicity in the alleged offence, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the Chief
Judicial Magistrate, Khagaria in Chautham Police Station Case
No. 55 of 2023, subject to the conditions laid down under
section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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