

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4758 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- TERHAGACHH District- Kishanganj

Khushboo Kumari, aged about 34 years (Female), Wife of Vikash Kumar Singh, R/O Village- Dhanauti, P.S.- Baran, District- Aurangabad, Bihar

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ankit Katriar, Advocate
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party	:	Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Terhagachh P.S. Case No. 135 of 2024 dated 15.11.2024 registered for the offences punishable under Section 103(1) read with Section 3(5) of the B.N.S., 2023.

3. The prosecution case, in brief, is that the son of the informant was working as Headmaster in the Government School at Terhagachh. It is further alleged that after his appointment as Headmaster in the said school, the other Assistant Teachers of the said school developed tense relationship with him. One week ago, some dispute arose



between her son and the petitioner and her son was in tension. Her son was residing in a rented room at village-Matiari. On 15.11.2024, her son returned from his school and on that day at about 1.00 P.M., one teacher of the said school informed her that her son was hanging by *Dupatta* in dead condition in his room. The informant claimed that the petitioner and the other co-accused persons i.e., teachers of the said school had committed the alleged occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has been made accused in the present case solely on the basis of her 32 phone calls and 04 SMS exchange made with the deceased between 01.11.2024 and 15.11.2024 on the alleged date of the occurrence. It is further submitted that such communication is not unusual, given that the petitioner and the deceased were colleagues working in the same Institution. The petitioner had given money as a loan to the deceased, demonstrating professional camaraderie and goodwill rather than any ulterior or illicit motive. The postmortem report of the deceased shows that the cause of death was asphyxia and shock resulting from hanging and no external injury was found on the body of the deceased. There is not a single evidence which



indicates that the petitioner has committed the alleged offence. The petitioner has no concern with the alleged offence. There is no eye witness to the alleged offence. It is submitted that the present case has been instituted for the offences punishable under Section 103(1) read with Section 3(5) of the B.N.S., 2023 but police after investigation, submitted charge sheet under Section 108 of the B.N.S., 2023 for the offence of abatement of committing suicide as stated in paragraph no. 2 of the supplementary affidavit filed on behalf of the petitioner. The petitioner is a lady and she is a teacher in a school where the deceased was the Headmaster and it is alleged that the petitioner used to talk with the deceased on mobile phone but this allegation is against all the named accused persons. The allegation of quarreling with the deceased was baseless and concocted and never any quarrel took place with the deceased. It is further submitted that from perusal of the F.I.R., it is evident that no one has seen the occurrence and only suspicion was raised by the informant against all the named accused persons because they all are teachers in the said school. There is no evidence on the record to justify the involvement of the petitioner in the alleged crime. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The



petitioner alongwith her three-year old daughter is in custody since 20.11.2024 in this case.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and has submitted that the petitioner is named in the F.I.R. Learned counsel for the informant has further submitted that from perusal of paragraph no. 36 of the case diary, it appears that there were 32 mobile calls and 4 SMS made between the deceased and the petitioner on the alleged date of occurrence.

6. Considering the aforesaid facts and circumstances of the case as well as the accusation made against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Terhagachh P.S. Case No. 135 of 2024, pending in the court of learned Sub-Divisional Judicial Magistrate, Kishanganj.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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