

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4142 of 2025

Arising Out of PS. Case No.-547 Year-2024 Thana- GAYA MUFASIL District- Gaya

Poonam Kumari @ Punam Kumari D/o- Late Ajay Pratap Singh Village-
Khanjahanpur Ps- Buniyadganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Adv.
For the Opposite Party/s	:	Mr. Shahabuddin Azeem @ S. Azeem, APP
For the Informant	:	Mr. Rajesh Kr. Mishra, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary called for in Cr. Misc. No. 830 of 2025.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 547 of 2024 instituted for the offences
under Sections 302, 328 & 34 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of being involved in
the murder of the deceased.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against her and has falsely been implicated in the present case
on the basis of suspicion. The petitioner is a lady having



different residence and life from the deceased and her both family including her-in-laws as well as own residents. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of the confessional statement of the co-accused persons Om Prakash Kumar and Vikky Kumar recorded before the police which has no evidentiary value in the eye of law. Thereafter, the petitioner was arrested and her confessional statement was recorded by the police under duress. The petitioner has no concern with the alleged occurrence. In course of investigation, not a single substantive piece of evidence has come on record suggesting her complicity in the alleged occurrence. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation is against the husband of the deceased. Moreover, the petitioner has no criminal antecedent and is languishing in judicial custody since 27.06.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The co-accused Om Prakash Kumar and Vikky Kumar in their confessional statement have named the petitioner of being



involved in the alleged offence. The petitioner has also confessed in her confessional statement that co-accused Om Prakash Kumar had supplied poison in the capsule form to the Informant and she gave this poison capsule to the co-accused Vicky Kumar. Thus, there is direct allegation against the petitioner in the alleged occurrence and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also the petitioner being lady, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 547 of 2024.

(Rudra Prakash Mishra, J)

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