

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9912 of 2025

Arising Out of PS. Case No.-367 Year-2024 Thana- GORAUL District- Vaishali

Nisha Kumari S/o- Late Arjun Paswan Resident of Village- Paharpur, P.S.-
Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Advocate Smt. Priyanka Kumari, Advocate
For the Opposite Party/s	:	Mrs. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Goraul (Kathra) P.S. Case No. 367 of 2024 registered for the offences punishable under Sections 108 and 3(5) of the BNS 2023.

3. As per the prosecution case, there is allegation against the petitioner that she killed her husband in collusion with other co-accused persons. It is also alleged that she tortured her husband by lodging a complaint case under Sections 498(A), 384, 504 and 506 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case and she has committed no offence. There are general and omnibus allegation has been attributed against all the accused persons and no specific allegation is attributed against the petitioner. In fact, no occurrence has been taken place as alleged in the F.I.R. rather the real fact is that the deceased himself committed suicide reasons best known to him. Petitioner is the wife of the deceased and at the time of alleged occurrence, she was in her *maike*. Learned counsel further submits that prior to the present occurrence, the petitioner has lodged a complaint case bearing 247 of 2023 for the offence under Sections 498(A), 384, 504 and 506 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. During the course of argument, learned counsel for the petitioner submits that F.I.R. is delayed without any explanation and petitioner is in custody since 23.09.2024. Learned counsel further submits that other co-accused persons namely, Lakhindra Paswan and Sangita Devi have been granted bail by the co-ordinate Bench of this Court vide order dated 28.03.2025 in Cr. Miscellaneous No. 10204 of 2025. From



perusal of the case diary, it transpires that chargesheet has been submitted against the petitioner in this case.

7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – I, Vaishali at Hajipur in connection with Goraul (Kathra) P.S. Case No. 367 of 2024 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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