

Arising Out of PS. Case No.-2 Year-2025 Thana- KAMTAUL District- Darbhanga

... .. Petitioner

Versus

... .. Opposite Party

Appearance :

For the Petitioner	:	Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the State	:	Mrs. Pushpa Sinha, APP
For the Informant	:	Mr. Ansul, Sr. Advocate Mr. Girish Chandra Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-09-2025 Heard Ms. Vaishnavi Singh, learned counsel
appearing on behalf of the petitioner, Mr. Ansul, learned
senior counsel for the informant and learned A.P.P. for the
State.

2. The accused/petitioner seeks bail in connection with Kamtaul P.S. Case No. 02 of 2025 registered for the offences under Sections 126(2), 115(2), 118(1), 109, 103, 329(4), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First Information Report and is in custody since 02.01.2025.

4. As per FIR, named co-accused persons, after



entering into the house of the informant, committed the murder of mother of the informant by inflicting knife injury, where allegation against the petitioner is to assault the wife of the informant, who received head injury. The occurrence alleged to be arising out of land dispute.

5. Ms. Vaishnavi Singh, learned counsel appearing on behalf of the petitioner submitted that informant is the eye witness of the occurrence and from bare perusal of FIR and by taking note of version of the informant, it can be safely gathered that this petitioner was not involved in physical assault of the deceased mother of the informant.

6. It is submitted that the mother of informant was assaulted by co-accused Abhiram Mishra and Mira Devi. It is pointed out that said co-accused Abhiram Mishra has already granted bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 31351/2025 dated 02.09.2025.

7. It is submitted that maximum allegation against the petitioner is to assault the wife of the informant along with other co-accused persons but upon medical examination, number of injuries was found single, which also falsified the



allegation on its face. It is submitted that petitioner implicated mainly for the reason that she is the wife of main co-accused Abhiram Mishra, against whom thrust of allegation *qua* fatal assault is available.

8. While concluding argument, it is submitted that investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State opposed the prayer of bail.

10. Mr. Ansul, learned senior counsel appearing for the informant, while opposing the prayer of bail, submitted that petitioner has actively participated in the alleged occurrence and allegation of causing physical assault on the head of the wife of the informant is available against this petitioner.

11. In view of aforesaid factual submission and by taking note of the fact as petitioner *prima facie* not involved in physical assault of deceased mother of the informant, coupled with the fact that investigation of this case is already



completed, where petitioner being lady remains in custody since 02.01.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga/concerned court, in connection with Kamtaul P.S. Case No. 02 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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