

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31793 of 2025

Arising Out of PS. Case No.-308 Year-2022 Thana- KALYANPUR District- East Champaran

Sarita Kumari W/o Sri Bhola Mahto R/o Vill.- Purainiya, P.S.- Kalyanpur,
Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Kalyanpur P.S. Case No. 308 of 2022 registered for the offences punishable under Sections 302 and 34 of the IPC.

3. As per prosecution case, there is allegation that petitioner and others committed the murder of informant's daughter by strangulating her neck by rope and fled away from the house.

4. Learned counsel for the petitioner submits that petitioner is sister-in-law of the deceased. Petitioner is residing separately having no say in the family affairs of the deceased. Learned counsel submits that after institution of the FIR, police



found the case, *prima facie*, of suicide and true against the co-accused persons under Section 306 of the IPC. Learned counsel further submits that petitioner is innocent and has committed no offence as alleged in the FIR and she has falsely been implicated in this case. Petitioner bears no criminal antecedent. Learned counsel submits that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, petitioner having no say in the family affairs of the deceased, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-XII, East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 308 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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