

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36835 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- HILSA District- Nalanda

Sanjay Prasad S/o- Kamla Prasad @ Kamal Singh Village- Bhatbigha Ps-
Hilsa Dist- Nalanda

... .. Petitioner/s
Versus
The State of Bihar Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37083 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- HILSA District- Nalanda

Pinki Devi @ Pintu Devi W/o - Sanjay Prasad Village- Bhatbigha Ps- Hilsa
Dist- Nalanda

... .. Petitioner/s
Versus
The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 36835 of 2025)
For the Petitioner/s : Mr. Vinod Pandey, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP
(In CRIMINAL MISCELLANEOUS No. 37083 of 2025)
For the Petitioner/s : Mr. Vinod Pandey, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 20-08-2025 Heard learned counsel for the parties and at their

request, both the anticipatory bail applications, arising out of the

same P.S. Case, are being heard and disposed of by a common

order.

2. The petitioners are apprehending their arrest in



connection with Hilsa P.S. Case No. 321 of 2024, punishable for the offences under Section 304(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner, at the outset, seeks permission to withdraw the anticipatory bail application filed by the husband, namely, Sanjay Prasad, on protest being made by the learned APP for the State on the basis of the materials that have come in the case diary. Both the bail petitions are connected as they arise out of the same P.S. case and when the matter was taken up, the learned counsel for the petitioner seeks permission to withdraw the bail application filed on behalf of the petitioner, namely, Sanjay Prasad and further, presses the application filed on behalf of Pinki Devi @ Pintu Devi.

4. Permission is accorded.

5. The anticipatory bail application filed on behalf of Sanjay Prasad, the petitioner in Cr. Misc. No.36835 of 2025 stands dismissed as withdrawn.

6. The prosecution story is based on the statement of informant Ramanand Prasad, Hilsa Police recorded an FIR on 17.05.2024. The informant reported that his daughter Kajal Kumari, married to Sanjay Prasad two years ago, was repeatedly



harassed for dowry, including demands for a gold chain. Despite his attempts to settle the matter, the harassment continued. On 16.05.2024, the daughter was allegedly tortured, and on 17.05.2024, villagers informed him that Sanjay Prasad, along with family members Dhananjay Prasad, Kamla Prasad, and Pintu Devi, killed her by pressing her neck. He found her dead body with injury marks, leading to the registration of the case under Sections 304(B) and 34 of the IPC.

7. It is submitted by the learned counsel for the petitioner that the petitioner has clean antecedent and has falsely been implicated in the present case. It is next been submitted that the husband, namely, Sanjay Prasad, solemnized second marriage with the consent of the first wife and from the wedlock with the second wife(deceased), a child was born. It is next been submitted that the petitioner is an old lady and is leading her life alone in her *maika* because of certain quarrels having taken place between the husband and the second wife and when the incident of suicide took place. The petitioner was not present at the place of occurrence and for ulterior reasons, the petitioner has been roped in the present case.

8. It has next been submitted that the petitioner came to her *maika* (parent's house) after some altercation between the



husband, namely, Sanjay Prasad and the deceased and the said deceased always created hindrances in the matrimonial life and because of her behavior, which was not being liked by the husband, namely, Sanjay Prasad, and on various occasions, they used to quarrel. It has next been submitted that there is no specific allegation against the petitioner and the allegations are general and omnibus in nature. It is in this background, it has been submitted that at present, the petitioner, namely Sanjay Prasad, has already sought for withdrawal of the anticipatory bail application, which was tagged with the instant case.

9. Considering the above facts and circumstances of the present case, the allegations against this petitioner, namely, Pinki Devi @ Pintu Devi is general and omnibus in nature and further, it is the case of the petitioner that the petitioner was staying at her parents house and was not present when this incident took place.

10. Taking into account, the petitioner was not staying at the house where this incident had taken place and no specific role has been attributed to the petitioner, let the petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st Hilsa, District Nalanda, in connection with Hilsa P.S. Case No. 321 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita

(Ajit Kumar, J)

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