

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44384 of 2025**

Arising Out of PS. Case No.-101 Year-2025 Thana- Kavaiya District- Lakhisarai

Uma Bharti @ Monni W/o Late Niwas Kumar, D/o Shankar Mandal R/o  
Village- Faridpur, PS- Jamalpur, Dist- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

5      03-12-2025                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection  
with Kabaiya P.S. Case No. 101 of 2025 registered for the  
offences under Sections 108/3(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 27.03.2025.

4. Allegation against the petitioner is to commit  
abetment for suicide to her husband who is the son of  
informant.

5. It is submitted by learned counsel appearing on  
behalf of the petitioner that petitioner solemnized her



marriage with son of the informant out of their own sweet-will. It is submitted that after marriage they were living separately. It is further submitted that due to parental torture, the husband of petitioner committed suicide but the informant, who is the parent of the deceased and in-laws of petitioner, given it different colour that as the petitioner was in relationship with someone else out of her marriage, knowing the fact, son of the informant committed suicide.

6. It is submitted that except suspicion, nothing surfaced during investigation as to connect the petitioner with the present crime in question or to suggest that the act of petitioner was so active or direct that it forced the son of informant to commit suicide without leaving any other option. In support of his submission, learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Gurucharan Singh Vs. State of Punjab** reported in **(2017) 1 SCC 433**.

7. While concluding argument, it is submitted that petitioner is a lady of clean antecedent and, moreover, investigation of this case is already concluded, for which



charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State, while opposing the prayer for bail of the petitioner, submitted that at the time of committing suicide this petitioner was with son of the deceased in a rented house. It is submitted that deceased committed suicide by consuming poison after knowing his extramarital affairs of petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as *prima facie* save and except suspicion arising out of extramarital affairs nothing surfaced during investigation as to connect the petitioner with the present crime in question as to suggest that act of petitioner *prima facie* is of such nature which forced to commit suicide by the son of the informant without leaving any option, coupled with the fact that investigation of this case is already completed, where petitioner, who is a lady of clean antecedent, remains in custody since 27.03.2025, 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, Lakhisarai/concerned court, in connection with Kabaiya P.S. Case No. 101 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)**

Rajeev/-

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