

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46439 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- ATHMALGOLA District- Patna

Khushboo Kumari D/o Shivji Sharma R/o Village- Kahar Toli, Akhara, P.S.-
Chowk, Patna City, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Athmalgola P.S. Case No. 48 of 2025 registered for the offences under Section 103(1) of the BNS.

3. As per prosecution case, dead body of one Deepak Kumar was found and subsequently during investigation the name of the petitioner transpired as one of the accused persons involved in the murder.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The petitioner is a married lady having small child and she has got no involvement in the alleged occurrence. There is no eye-witness to the alleged occurrence and the name



of the petitioner transpired in this case on the basis of confessional statement of co-accused Aniket Kumar. The co-accused Aniket Kumar was having one sided love with this petitioner and when she rejected his one sided love, he named this petitioner to ruin her marital life. There is no recovery of any incriminating article from the person or possession of this petitioner and except for the confessional statement, there is no material on record to show her complicity in the alleged crime. Petitioner is in custody since 14.02.2025 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that co-accused named this petitioner and at the instance of co-accused recovery of articles of the deceased was made.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material to connect the petitioner with the offence as alleged and also considering the period of custody of the petitioner along with her clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like



amount each to the satisfaction of learned SDJM, Barh/concerned court in connection with Athmalgola P.S. Case No. 48 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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