

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51407 of 2025

Arising Out of PS. Case No.-434 Year-2024 Thana- JAMUI District- Jamui

Khushi Kumari @ Dipika Kumari, D/o Dilip Mahto @ Dilip Kumar, R/o
Village-Sarari, Daulatpur, P.S. and Dist.- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

For the Informant : Mr. Manohar Prasad Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection
with Jamui P.S. Case No.434 of 2024 registered for the
offences punishable under Sections 103(1) and 238 read with
3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and
is in custody since 14.11.2024.

4. As per FIR, the deceased was in love affairs
with this petitioner and under conspiracy, the brother of
informant was killed by other named co-accused persons.

5. It is submitted by learned counsel that the thrust



of allegation is available against named co-accused persons, namely, Amit Kumar and Ritik Kumar, who caused head injury to the brother of the informant while he went to Sarari village for meeting with petitioner. It is submitted that during investigation, nothing transpired, which suggest that this petitioner was the part of conspiracy rather it appears out of confessional statement of co-accused, who was involved in actual occurrence, that this petitioner left the place of occurrence before the actual occurrence of committing murder when she found in compromising position with deceased. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a lady of clean antecedent.

6. Learned APP duly assisted by learned counsel for the informant, Mr. Manhor Prasad Singh while opposing the prayer of bail submitted that this petitioner played active role as one of the conspirator *qua* present crime in question.

7. In view of aforesaid facts and circumstances



and by taking note of fact as except suspicion arising out of love affairs, *prima facie* nothing incriminating appears against this petitioner, who is a lady of clean antecedent, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 14.11.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1st, Jamui in connection with Children Case No.4 of 2025 arising out of Jamui P.S. Case No.434 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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