

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.53115 of 2025**

Arising Out of PS. Case No.-232 Year-2023 Thana- DHARHARA District- Munger

Soni Kumari Wife of Nibhash Kumar Resident of Village - Adalpur, Police Station - Dharhara, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shrishti Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

4      28-11-2025                      Heard Ms. Shristi Singh, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioner is in custody in connection with Dharhara P.S. Case No. 232 of 2023 for the offence punishable under sections 302 and 34 of the Indian Penal Code lodged on 30.11.2023 by the informant, Anita Devi.

3. Earlier, the bail of the petitioner was rejected vide order dated 29.10.2024 in Cr. Misc. No. 41273 of 2024 and this is the second attempt.

4. As per the prosecution story, the informant alleged that on the issue of electric connection, there was dispute in the family but later they came to peaceful conclusion whereafter,



the allegation is that her son, Abhishek knocked the door of his sister-in-law, Saraswati Devi who jokingly informed that she will not open the door but in the meantime, the screaming came whereafter, the family members rushed to the place only to see the deceased in injured condition and this petitioner was having knife in her hand. Further, her brothers and mother were also there. The injured was immediately rushed to the hospital where she was declared dead. Accordingly, the FIR.

5. Learned counsel for the petitioner submits that though earlier, the case of the petitioner was rejected, the fact remains that despite in the FIR, the allegation being made that the petitioner was holding the knife, the fact remains that the same was not recovered nor is part of the exhibit that the prosecution has submitted. The further submission is that the lady is in custody since 02.12.2023 having no criminal antecedent, she has two minor children at home and the trial has still not yet commenced. The last submission is that an undertaking has been given that if granted bail, she shall be diligently appearing in trial without fail and failure to do so, the Court can take steps for cancellation of bail bond.

6. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer for bail submitting that main allegation of using knife



against the deceased is assigned to the petitioner.

7. Allegation is there, earlier the bail application of the petitioner was rejected, learned counsel for the petitioner has submitted that the knife which was attributed to this petitioner has not been recovered, she has no criminal antecedent, is in custody since 02.12.2023 and there are two minor children at home.

8. Further, this Court had called for the Trial Court report which has come vide letter no. 232 dated 17.10.2025 according to which, the case was transferred to the concerned Court on 01.07.2025 and efforts are being taken to produce the prosecution witnesses but the sum of the letter is that the trial has not commenced and an undertaking has been given that she shall be diligently appearing in trial, in that background and considering all the aforesaid facts, this Court is inclined to extend her the privilege of bail with conditions.

9. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District and Additional Sessions Judge – V, Munger in connection with Dharhara P.S. Case No. 232 of 2023 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

10. Before parting, this Court would like to put on record its word of appreciation for Ms. Shrishti Singh for the proper assistance rendered in the matter.

**(Rajiv Roy, J)**

Adnan/-

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