

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61431 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- TRIVENIGANJ District- Supaul

Mosam Kumari wife of Rupesh Kumar @ Rupesh Yadav Resident of Village-
Kushaha Tola Bagewa, Panchayat Hariharpatti, Ward No. 12, P.S.-
Triveniganj, District -Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Triveniganj P.S. Case No. 319 of 2024 registered on 18.08.2024 for the offences under Sections 103(1) and 3(5) of the BNS.

3. As per prosecution case, sister of the informant married with co-accused Rupesh Kumar 10 years ago and allegation against the petitioner and other co-accused persons is that they have been torturing the sister of the informant and finally under a criminal conspiracy hanged the sister of the informant to death. Petitioner is stated to be the second wife of co-accused Rupesh Kumar.

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. There was no dispute between the petitioner and the deceased and the petitioner has been living separately. Petitioner never demanded any dowry from the deceased and she has no role in the death of the sister of the informant but the brother of the deceased lodged this false case against the petitioner and others for taking undue advantage. Co-accused persons have been granted anticipatory bail by a Co-ordinate Bench vide order dated 09.07.2025 passed in Cr. Misc. No. 42093 of 2025. Even in the post-mortem report cause of death has not been disclosed and viscera has been preserved. Petitioner is having clean antecedent. Petitioner is in custody since 26.10.2024 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and further 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 C.J.M., Supaul/concerned court in connection with Triveniganj P.S. Case No. 319 of 2024, 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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