

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72117 of 2024

Arising Out of PS. Case No.-872 Year-2023 Thana- AHYAPUR District- Muzaffarpur

Nisha Kumari @ Nisha Bharti W/o- Rambabu Kumar Resident of Village-
Rampur Jaypal, Bochaha, P.S.- Bochaha, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 363, 365, 34 of the Indian Penal Code. Later on, Sections 302, 201 of the Indian Penal Code were added.

3. Allegedly, all the F.I.R. named accused persons including the petitioner are said to have committed murder of the daughter of the informant. It is further alleged that the daughter of the informant, namely, Khushboo Kumari had performed love marriage with co-accused Gaurav Kumar, who later on, solemnized second marriage with one Rachna Kumari.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence.



No such occurrence as alleged has ever taken place. She has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. She is sister-in-law of the deceased and she has been living in her matrimonial house since her marriage. Her name has been transpired in the present case merely on suspicion. There is no eye-witness to the alleged occurrence. The real fact is that deceased Khushboo Kumari had herself disappeared from her matrimonial house after some altercation took place between her and her husband. It is further submitted that there is nothing on record against the petitioner to show her complicity in the alleged occurrence. She has no criminal antecedent as mentioned in para 3 of the bail application. Learned counsel further submits that the husband of the deceased is already in judicial custody.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ahiyapur P.S. Case No. 872 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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