

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69720 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- PARSAUNI District- Sitamarhi

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Kusama Kumari @ Kusami Kumari @ Kusumi Kumari D/o Mahang Sah R/O
Village- Parshurampur, Tintoli, Ward No - 07 ,P.S.- Parsauni, District -
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Jitendra Kumar, Advocate
For the State : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 103 and
3(5) of the B.N.S..

3. As per prosecution case, it is alleged that in the
night of 03.02.2025, all the F.I.R. named accused persons,
including this petitioner, killed son of informant and kept the
dead body at the house of informant in his absence and on
04.02.2025, informant's neighbor informed him and then, the
informant came at his house and saw the dead body of his son.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has



committed no offence. Informant is not an eye witness of the alleged occurrence. He further submits that petitioner has been made accused in this only on the suspicion that she had love affair with the deceased. The informant has not disclosed the name of the neighbour who informed him about the alleged incident. As a matter of fact, the deceased himself committed suicide. As per the *post mortem* report, the deceased died due to *Asphyxia* leading to CR failure as a result of hanging by rope like substance. It is lastly submitted that similarly situated co-accused person, namely *Tetari Devi*, has already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 20.05.2025 passed in Cr. Misc. No. 32901 of 2025. Petitioner is a lady and claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sitamarhi in connection with Parsauni P.S. Case No. 16 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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