

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73429 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- BHAGWANPUR District- Vaishali

Neha Kumari W/O Late Nitesh Kumar @ Nitesh Shah R/O Vill - Karhari, P.S.
- Bhagwanpur, District - Vaishali, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-11-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 46 of 2025 instituted for the offences
under Sections 137(2), 140(3) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that the informant's
son Nitesh Kumar left Sihma Kalyan at 6 PM for his home but
went missing along with his motorcycle, and could not be traced
despite searches.

4. Learned counsel for the petitioner submitted that the
petitioner is an innocent lady and has falsely been implicated in
the present case. Petitioner is not named in the F.I.R. The name



of the petitioner transpired in this case on the basis of confessional statement of co-accused Vishal Kumar recorded during investigation. No specific overt act is alleged against the petitioner. Learned counsel further submitted that during course of investigation police have seized *dab/fasuli* from the house of the petitioner, however, the same is a common agricultural equipment and no any blood stain was found on the same. There is no eye-witness to the occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.02.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that as per the material available in the case diary, there was illicit love affair between the petitioner and co-accused Vishal Kumar and both, with common intention, hatched a conspiracy and committed the murder of the informant's son. Learned APP further submitted that there is the recovery of *fasuli* from the house of the petitioner on the basis of disclosure made by the co-accused Vishal Kumar and manner in which the occurrence took place, as disclosed by him is also corroborated by the post-mortem report and therefore, the petitioner does not deserve to be released on bail.



6. Considering the aforesaid facts and circumstances of the case as also there being ample material against the petitioner in the case diary, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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