

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75191 of 2025

Arising Out of PS. Case No.-86 Year-2025 Thana- LAUHIYANAGAR District- Begusarai

Kavya Kumari W/o Aayush Kumar R/o village - Bhairwaar, P.S - Lakho,
District - Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepak Kumar S/o Garib Chandra Lal R/o Village - Baghi Gandhi Chock,
P.O - Shuhirdnagar, P.S - Lohiyanagar, District - Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvottam Kumar, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP
For the Informant	:	Mr. Deepak Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2025 Heard Mr. Sarvottam Kumar, learned counsel for the petitioner, Mr. Deepak Kumar, learned counsel for the informant as well as Mr. Ajay Kumar Jha, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Lohiyanagar P.S. Case No. 86 of 2025, F.I.R. dated 03.08.2025 for the offences punishable under Sections 318(4), 338, 336(3), 351(2) and 3(5) of the BNS.

3. According to prosecution case, the co-accused, Ayush Kumar has taken the consideration amount from the informant but neither executed the sale deed in favour of him nor returned his money and also abused and threatened him for



dire consequences.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been implicated in the present case merely on the ground that she is wife of the co-accused, namely, Ayush Kumar. It appears from the F.I.R that agreement for sale of the land in question was executed between the informant and the husband of the petitioner and all the amount was transferred in the account of petitioner's husband, namely, Ayush Kumar and she has not received any amount from the informant.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it appears from the bank account of the co-accused, Ayush Kumar that after received the amount from the informant he has transferred the same in the bank account of the petitioner, so she is also involved in the present crime in question.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, she has not received any amount from the informant and she has been made accused merely on the ground that she is wife of co-accused Ayush Kumar who has received the amount from the informant, let the



petitioner, above named, in the event of her arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Lohiyanagar P.S. Case No. 86 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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