

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75062 of 2025

Arising Out of PS. Case No.-4061 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Khushboo Devi Wife of Upendra Kumar Singh, Daughter of Ram Pravesh Singh, Resident of Mohalla- Sangatpar, Masaurhi, Police Station- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi Wife of Tinku Kumar, Daughter of Bijendra Singh Resident of Mohalla- Patliputra, Near Pani Tanki, P.S. Patliputra, District- Patna. Permanent Address- Village Malahi Khandha, P.S.- Naubatpur, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner, learned counsel for the complainant and the learned A.P.P. for the State.

2. The petitioner is apprehending her arrest in a case in connection with Complaint Case No. 4061(C) of 2017 dated 20.09.2017, registered for the offences punishable under Sections 498A, 497, 308, 315 and 120B read with Section 34 of the Indian Penal Code. However, cognizance has been taken under Sections 498A, 323 and 497 read with Section 34 of the IPC.

3. As per the prosecution case, the marriage of the



complainant was solemnized with one Tinku Kumar in the year 2004. It is further alleged that in the year 2015, the complainant's brother and Tinku Kumar opened a sweet shop in Masaurhi and in that sweet shop, Khushboo Devi (petitioner) was working and Tinku Kumar developed illicit relationship with the petitioner. It is further alleged that the co-accused persons ousted the complainant from her matrimonial home and threatened her when she was staying at her *maike*. Due to fear, the complainant was secretly residing in Patna, however, on 19.09.2017, the co-accused persons reached her Patna residence and threatened her of dire consequences.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner neither demanded any dowry nor tortured the complainant. The allegation levelled in the complaint petition is false and fabricated and the petitioner has not committed any such offence as alleged in the complaint petition. The petitioner has no illicit relationship with the complainant's husband, rather she is the wife of brother-in-law of complainant's husband. The husband of the complainant namely, Tinku Kumar has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court *vide* order



dated 18.06.2025 passed in Cr. Misc. No. 59952 of 2024. The petitioner has got no criminal antecedent as stated at para 3 of the bail petition.

5. Learned counsel for the complainant as well as learned APP for the State has vehemently opposed the prayer for anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation against the petitioner and also the fact that petitioner is a lady, let the petitioner named-above, in the event of her arrest / surrender before the learned Court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna, in connection with **Complaint Case No. 4061(C) of 2017**, subject to conditions as laid down under Section 482(2) of the BNSS.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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