

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76769 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- Benta District- Darbhanga

Gunjan Kumari W/o Premshankar Jha R/o Village- Banagaon, P.S.-
Banagaon, District- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Adv. Mr. Subhash Kumar Jha, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Gaurav Govinda, Adv. Ms. Preety Ranjan, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-12-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends her arrest in a case registered for the offence punishable under Sections 103, 61, 3(5) of the B.N.S., 2023 and Sections 25(1-b)a, 26 and 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and the informant alleges that he received an information on 05.08.2025 at 5.30 P.M. that his son Rahul was shot at DMCH gate, further his son was shot by Prem Shankar Jha, father of



Tanu Priya, accordingly he came to the place of occurrence and came to know that Prem Shankar Jha along with his son Ashwani, Avinash and wife Gunjan Kumari (petitioner) had come, next alleges that his son about two months back had performed love marriage with Tanu Priya, daughter of Prem Shankar Jha, as they were studying in first year of nursing at B.Sc. Nursing College, next alleges that Prem Shankar Jha had threatened earlier to kill and had also filed a case at Banagaon P.S. and statement of Tanu Priya was recorded in the Court, thereafter Tanu Priya came at informant's place.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant is not an eyewitness to the occurrence. It is next submitted that the allegations are in two parts, in the first part, the informant alleges that on 05.08.2025 at 5.30 P.M. he received an information that his son was killed by Prem Shankar Jha, thereafter he came to the place of occurrence and there he came to know that Prem Shankar Jha was accompanied by his sons and his wife i.e. petitioner but then it is submitted that the FIR does not even remotely disclose that who informed the



informant about the presence of the petitioner at the place of occurrence when the occurrence is alleged to have taken place. It is next submitted that son of the informant had married the daughter of Prem Shankar Jha and the marriage was being opposed as such Prem Shankar Jha had instituted a criminal case also but then Tanu Priya did not support the case of the prosecution and being a major came to the house of the informant. It is further submitted that since tension was brewing in between the family on account of marriage in between son of the informant and daughter of Prem Shankar Jha, as such the entire family members of Prem Shankar Jha have been implicated in the case.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioner that the FIR does not even remotely disclose that as to who disclosed to the informant about the presence of the petitioner at the time of occurrence at the place of occurrence. At this stage, learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Benta P.S. Case No.133/2025, corresponding to G.R. No.3387/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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