

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79387 of 2025

Arising Out of PS. Case No.-351 Year-2025 Thana- GARDANIBAG District- Patna

Kusum Devi W/O Jhulan Das @ Pramod Kumar R/O Jakkanpur, Chamar Toli, P.S- Gardanigagh, Distt.- Patna, At present Shahpur Mana, P.S- Maner, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sakshi Deep, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-12-2025 Heard Mr. Sakshi Deep, learned counsel for the petitioner and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending her arrest in connection with Gardanibagh P.S. Case No. 351 of 2025, F.I.R. dated 23.06.2025 for the offences punishable under Sections 80 and 3(5) of the BNS, 2023 and Section 3/4 of the Dowry Prohibition Act.

3. According to prosecution case, all the accused persons including this petitioner have murdered the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and she has falsely been



implicated in the present case. It appears from the F.I.R itself that the informant has participated in the cremation of the deceased and thereafter, he has lodged the present F.I.R. She further submits that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner. The similarly situated co-accused, namely, Jhulan Das @ Pramod Kumar @ Pramod who happens to be the husband of the petitioner has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 04.12.2025 passed in Cr. Misc. No. 78717 of 2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 A.C.J.M. XIII, Patna in connection with Gardanibagh P.S. Case No. 351 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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