

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1641 of 2025

Arising Out of PS. Case No.-128 Year-2023 Thana- KANTI District- Muzaffarpur

Komal Kumari @ Komal Devi @ Phool Kumari, aged about 38 years,
Female, W/O Sudhir Manjhi, Resident of Village- Ahladpur, P.S.- Panapur
Kariyat, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocae

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code.

3. As per prosecution case, the informant's sister,
Babita Devi had married Ajit Manjhi and later, she abandoned
him and married to one Sudhir Manjhi and the allegation is that
the wife of Sudhir Manjhi, Komal Devi along with her
associates conspired and led to the killing of lady.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that the FIR has been lodged after five days of the



alleged occurrence and there is no explanation for delay in lodging of the FIR. He next submits that the informant is not an eye witness of the alleged occurrence and at the time of occurrence, the informant was living at Punjab as stated in para-9 of the petition. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 22.07.2024. He next submits that similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 77820 of 2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, case diary, postmortem report of the deceased and impugned order dated 25.11.2024, it appears from the postmortem report that the deceased died due to asphyxia caused by hanging and similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 77820 of 2023 and also the fact that petitioner being a lady, so I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner 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 learned 20th Additional Sessions Judge,
Muzaffarpur in connection with Sessions Trial No. 409 of 2024
arising out of Kanti P.S. Case No. 128 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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