

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5719 of 2026

Arising Out of PS. Case No.-29 Year-2025 Thana- GHATHO District- Samastipur

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Vibha Kumari @ Vibha Devi Son of Vikram Kumar Singh R/o Village -
Musapur, P.S. - Ghataho, Distt. - Samastipur. Presently R/o Village - Harpur
Alloth, P.S. - Musrigharari, Dist. - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 06-04-2026 Heard Mr. Madhav Kumar, learned counsel appearing

on behalf of the petitioner and Mr. Rabindra Kumar, learned

APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ghataho P.S. Case No. 29 of 2025 registered for the
offence(s) punishable under Sections 123,109 of the BNS.

3. As per the allegation made in the FIR, due to
ongoing matrimonial disputes, the accused wife allegedly
attempted to murder her husband by administering poison, and
she is further alleged to be involved in an illicit relationship.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and she has
falsely been implicated in the present case. The allegations are



arising out of matrimonial discord and the present case has been instituted only to counterblast the earlier proceedings initiated by the petitioner, including Complaint Case No. 15/2024 under Section 498A IPC and Maintenance Case No. 91/2025 under Section 144 BNS, wherein an interim order was passed in petitioner's favour. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the FIR and the materials available on record, this Court finds that the dispute appears to have arisen out of matrimonial discord and the present case appears to be a counterblast to the earlier proceedings instituted by the petitioner, wherein an interim order was passed in her favour. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of her arrest or surrender before the learned District Court within a period of four weeks



from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Court where the case is pending / Concerned Court in connection with Ghataho P.S. Case No. 29 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. The learned District Court is directed to take necessary steps to refer the matter for mediation under the provision of Mediation Act, 2023 before the learned Mediator of the District Mediation Center by fixing a date for appearance of the parties to give effect to “Mediation for the Nation 2.0”, so that the parties, who are husband and wife, may settle their dispute amicably and lead a happy married life.

(Purnendu Singh, J)

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