

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77596 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- HATHAURI District- Muzaffarpur

Khushboo Devi @ Khushboo Kumari D/O Ramkaran Sahani Resident of
village- Jitkahiya, Jhitkahiya, P.S.- Aurai, Hathauri, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 19-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 103(1), 61(2) and 3(5) of
the B.N.S., 2023.

3. As per the prosecution case, the petitioner is
alleged to have killed her husband in conspiracy and connivance
with the other accused persons.

4. The learned counsel for the petitioner submits that
the petitioner is admittedly the wife of the deceased and a false
allegation has been levelled upon her that she along with other
co-accused persons killed her own husband and hanged his body
in the bamboo orchard. As a matter of fact, there is no eye-
witness to the alleged occurrence and the petitioner has come to
know about the death of her husband on the following day.
However, the petitioner has herself admitted in paragraph-12 of
the case diary that there was some dispute between the petitioner



and her husband and it is only on account of such dispute that she has been made an accused in this case. Further, the *postmortem* report also indicates only a ligature mark and cause of death is said to asphyxia caused by *antemortem* hanging. After investigation, charge-sheet has also been submitted under Section 108 of the B.N.S. and as such, the allegation of committing the murder of the deceased has not been found to be true. The petitioner is in custody since 14.05.2025 along with three year old child and has no criminal antecedent.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that charge-sheet has been filed under Section 108 of the B.N.S. and the petitioner is in custody along with her minor child, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, (East) Muzaffarpur/concerned Court below in connection with Hathauri P.S. Case No. 72 of 2025.

(Soni Shrivastava, J)

anand/-

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