

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82205 of 2025**

Arising Out of PS. Case No.-265 Year-2024 Thana- KAMTAUL District- Darbhanga

1. Sheela Devi @ Shila Devi W/O Jagmohan Ray R/O Village and P.O- Ahiyari, P.S- Kamtaul, District- Darbhanga.
2. Jagmohan Ray S/O Brij Nandan Ray @ Bij Nand Ray R/O Village and P.O- Ahiyari, P.S- Kamtaul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      28-01-2026                      Heard Mr. Awnish Kumar, learned counsel for the petitioners as well as Dr. Indihar Kumari, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 20.09.2025 in connection with Kamtaul P.S. Case No. 265 of 2024, F.I.R. dated 16.09.2024 for the offences punishable under Sections 80 and 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant alleged that the petitioners along with other co-accused persons killed his niece by administering poison to her due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they falsely been implicated in the present case. Petitioner no.1 is second wife of petitioner no.2 and petitioner no.2 is husband of the deceased and it has come during investigation that petitioner no.2 was not present at the time of occurrence and he was in Pune and petitioner no.1 has been made accused merely on the ground that she is second wife of petitioner no.2. It has come during investigation which is recorded in paragraph nos.5 & 6 of the case diary that deceased has committed suicide herself which is also supported by the post-mortem report. The police after investigation submitted charge-sheet and the petitioners are in custody since 20.09.2025.

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

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and victim has committed suicide herself which is supported by medical evidence, let the petitioners, above named, 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 Chief Judicial Magistrate, Darbhanga in connection with Kamtaul P.S. Case No. 265 of 2024, subject to the following conditions:-



i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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)**

Suruchi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

