

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89274 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- KANTI District- Muzaffarpur

1.

Kabita Kumari @ Kavita Kumari @ Kavita Devi Wife of Om Prakash Sahani @ Om Prakash Kumar
2.

Om Prakash Sahani @ Om Prakash Kumar Son of Horil Sahani
Both are R/o Village - Fatehpur(Dhamauli Ramnat, Police Station - Kanti,
District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar S.K., Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 24-02-2026

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Kanti P.S. Case no.412 of 2024 registered under sections 103, 61(2), 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that his brother was having a love affair with the petitioner no.1 who happens to be the wife of petitioner no.2. The petitioner no.1 called his brother and thereafter he disappeared. Subsequently, his dead body was discovered.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The allegations of petitioner no.1 having a love affair with the



deceased brother of the informant is false and incorrect. In any case of the matter, there is no eye witness to the alleged occurrence. The petitioners are in judicial custody since 18.7.2025 and have no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State, however, it is not denied that there is no eye witness to the occurrence.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation, there being no eye witness to the occurrence, the petitioners being in custody for 7 months since 18.7.2025 and chargesheet having been submitted in the case, the Court directs both the petitioners to be enlarged on bail in connection with Kanti P.S. Case no.412 of 2024 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st, (West) Muzaffarpur.

(Partha Sarthy, J)

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