

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85492 of 2025

Arising Out of PS. Case No.-355 Year-2025 Thana- SULTANGANJ District- Bhagalpur

Archana Kumari W/o Indradev Kumar @ Indradev Mandal Resident of village - Nawada, P.O - tilakpur, P.S - Sultanganj, District - Bhagalpur (Presently residing at Mohalla - Hafla Diwanganj, Ward No. 5, P.S - Mufassil, District - Katihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunal Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-01-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 108, 80 and 3(5) of the B.N.S., 2023.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a woman and the informant alleges that his daughter was married to Rupesh on 18.06.2025, after marriage, the accused persons were demanding Rs.10 lacs by way of dowry, it is further alleged that Pappu, a friend of Rupesh and petitioner with whom Rupesh was in an illicit relationship also used to torture the victim for



dowry, further the victim even heard Rupesh talking dirty with petitioner, it is next alleged that when victim objected the relationship of Rupesh with petitioner, the victim was threatened by Rupesh that he will leave her, it is further alleged that accused persons including the petitioner made condition conducive for the victim to commit suicide, further Rupesh in his bank account had added petitioner as a nominee, further on coming to know about the death of victim, the informant reached the place of occurrence and found the dead body of his daughter with marks on neck and her tongue was protruded.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner was married to Indradeo on 08.03.2005 and out of the wedlock, two children were born, who presently are aged about 17 years and 11 years. It is further submitted that petitioner and Rupesh were teachers in a government school and thus were known to each other. It is also submitted that petitioner was not even aware that Rupesh has performed his marriage with the deceased on 18.06.2025. It is further submitted that Rupesh after marriage was staying at Sultanganj, whereas petitioner was posted at Government Upgraded Middle School, Marangi at Katihar. It is further



submitted that distance in between Katihar and Sultanganj is about 90 km, as such, it is submitted that it is not possible that petitioner would have met Rupesh on daily basis. It is also submitted that petitioner after 18.06.2025 had not taken any leave from the school also. It is reiterated and submitted that petitioner and Rupesh were known to each other from before and were on friendly term but then were not in an illicit relationship. It is further asserted and submitted that petitioner was not even aware that Rupesh got married as such whenever Rupesh called, she used to talk to him and even at times petitioner used to call and talked to Rupesh. It is next submitted that had the petitioner been in an illicit relationship with Rupesh, in that event, her husband would not have sworn the affidavit in the instant anticipatory bail application. It is also submitted that no doubt petitioner was added as a nominee in the bank account of Rupesh but then petitioner was not even aware of the said fact that Rupesh has added her as a nominee. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that accused persons were demanding dowry and for non-fulfillment of the demand the victim was tortured but then it is submitted that as to why the petitioner along with Pappu would have demanded



the dowry from the victim. It is further submitted that had the petitioner been in relationship with Rupesh, in that event, the petitioner would have cut her relationship with Rupesh on coming to know that he had performed his marriage. It is also submitted that during course of investigation, love letters of Rupesh written to petitioner was found in the room of the victim. It is submitted that it appears that Rupesh was writing letters to the petitioner and keeping the same in his house as such the same was found in the room of the victim. It is further submitted that this gives an impression that Rupesh used to write letter but then did not send the same to the petitioner, hence it appears that the love was one sided.

5. Learned A.P.P. for the State and learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner. The learned counsel appearing on behalf of the informant submits that during the course of investigation, it transpired that after marriage of Rupesh with the victim, Rupesh and petitioner were in touch constantly and in between them more than 200 calls were exchanged. It is also submitted that petitioner may not be directly involved in the occurrence but then her relationship with Rupesh created condition conducive for the victim to take extreme step of



ending her life. It is thus submitted that petitioner along with Rupesh and Pappu abetted the occurrence of suicide by the victim. At this stage, the learned counsel appearing on behalf of the petitioner submits that whether petitioner created condition conducive for the victim to commit suicide or it was the husband of the victim who created condition conducive for the victim to take extreme step of ending her life is an aspect of investigation. It is submitted that petitioner is a school teacher with two children and in the event if the petitioner is sent to judicial custody in the nature of allegation as alleged in the FIR, in that event, her entire career would get jeopardized and at the same time the children would be adversely impacted. It is reiterated and submitted that the fact that husband of the petitioner has sworn the affidavit must also be taken into consideration as it establishes that the conjugal relation in between the petitioner and her husband is good and the husband is supporting his wife i.e. petitioner. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove her innocence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Additional Chief Judicial Magistrate 1st, Bhagalpur, in connection with Sultanganj P.S. Case No.355/2025, subject to the conditions as laid down under Section 482(2) B.N.S.S.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

amit/-

U		T	
---	--	---	--

