

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.455 of 2026

Arising Out of PS. Case No.-114 Year-2025 Thana- Ghogha District- Bhagalpur

Nilima Kumari @ Nilam Pathak @ Neelam Kumari Pathak W/O Shri Awadh
Bihari Pathak Resident of village -Olapur P.S-Ghogha, District- Bhagalpur
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bambam Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the Informant	:	Mr. Madan Mohan, Advocate
		Mr. Saurabh Suman, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-04-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ghogha P.S. Case no. 114 of 2025 registered under sections 126(2), 115(2), 109, 118(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that as a result of dispute between the parties including her *bhabhi* Nilam Pathak who is the petitioner herein as also her brother Awadh Bihari Pathak who happens to be the husband of the petitioner, it is stated that Awadh Bihari Pathak assaulted Nirajkant Pathak and Haridwarika Prasad Pathak with a knife in their stomach and back leading to their death.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because of family dispute between the parties which would be evident from the contents of the FIR itself. The allegation of overt act is on the co-accused Awadh Bihari Pathak and not the petitioner herein who happens to be a lady and has been falsely implicated only for the reason of her being the wife of Awadh Bihari Pathak. The petitioner is in custody since 6.9.2025 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner is a named accused in a case of double murder wherein she is said to have actively participated otherwise the occurrence could not have been possible.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the allegation of overt act of having assaulted the two deceased being solely against Awadh Bihari Pathak and not the petitioner herein who happens to be a lady together with her having remained in custody for over six months since 6.9.2025 and chargesheet having been submitted in the case, the Court



directs the petitioner to be enlarged on bail in connection with Ghogha P.S. Case no. 114 of 2025 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 Additional Chief Judicial Magistrate-II, Bhagalpur.

(Partha Sarthy, J)

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