

In the court of Addl. Sessions Judge VII, Dhanbad

Bail Petition No. 49/2025

CNR No. JHDH01-000751-2025

(Arising out of Madhuban P.S. Case No. 95/2024)

Binita Kumari @ Binita Jha **Petitioner**

- Vrs.

The State of Jharkhand. **Opposite Party**

Ld. Counsel for the Petitioner

:- Sri M. Gope.

Ld. A.P.P. for the State

:- Sri Bharat Ram.

01.02.25	Bail petition filed on behalf of petitioner namely Binita Kumari @ Binita Jha, who is in custody 08.01.2025 in connection with Madhuban P.S. Case No. 95/2024, U/s 85, 140(3), 61(2)(a) B.N.S. and U/s ¾ D.P. Act, pending in the Court of Sri I.Z. Khan, J.M.F.C, Dhanbad, is put up today for hearing. Copy of the bail petition has already been supplied to the learned Addl. P.P appearing on behalf of the State. Case diary is on record. Ld. Counsel for the petitioner submitted that earlier petitioner has preferred bail petition before Ld. Lower Court below and same has been rejected on dated 17.01.2025 and after that, petitioner did not filed any bail petition before any court of law. Ld. Counsel further submitted that petitioner is quite innocent and she has committed no any offence whatsoever alleged against her. Petitioner has been falsely implicated in this case due to enmity and personal grudge. There is no any specific allegation against the	
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01.02.25	petitioner for committing any overt act. The petitioner is a married woman and at the time of occurrence, she was at her sasural at Madhubani, Bihar. The petitioner is mother of two female baby having aged about one month and another one year and both children are with her mother in the jail custody since 08.01.2025. The last baby has been born by cesarean on dated 24.11.2024 and in this critical stage, she has advised to regular observation of doctors and without proper treatment, it may be danger for life of mother and baby. When petitioner aware about missing of her sister-in-law, she came her maike at Sinidih for consolation of her parents and other family members and she having no any idea about anything. The petitioner is ready and willing to furnish sufficient local sureties to the satisfaction of the court. Learned APP appearing on behalf of State opposed the bail of the petitioner. Having heard both sides, perused the judicial record. From perusal of the judicial record, it transpires that prosecution case has been initiated on the basis of written report of informant namely, Girish Devi vide alleging inter alia that on 13.05.2022, the daughter of the informant namely, Aprajita Kumari got married with brother of the petitioner namely, Niraj Jha according to Hindu rites and customs and after marriage, daughter of the informant	
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01.02.25	went to her sasusral at Sinidih, Dhanbad, but after few days, all the family members of the petitioner started torturing her for a Swift Dzire Car, although the informant has given Rs. 6 lakhs dowry, 12 bhar gold jewellery, furniture, utensils etc. to the father of the petitioner. She further alleged that informant taken bidai of her daughter from Sinidih in the year 2022 to Barauni, Bihar and here, she has given birth of a child and entire expenditure of hospital has been paid by the informant. The daughter of the informant came Sinidih on dated 03.02.2024 and all the members of the petitioner started mentally and physically torture her for a four wheeler car. She further alleged that brother of the petitioner has illicit relationship with her 'Bhanji' namely, Shristi Kumari and on protest by daughter of the informant, all the family members of the petitioner scold her and always taunting her and when she objected, her husband threatened her. It is further alleged that brother of the petitioner Niraj Kumar Jha came to Barauni on 1.12.2024 and demanded Rs. 10 Lakhs for four wheeler car and when informant showed inability, then he threatened to kill his daughter, then she somehow managed Rs. 50,000/- and given him. She has suspected that all the family members of the petitioner has killed the daughter of the informant and hide her body. Hence, this	
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01.02.25	case. From perusal of F.I.R and case record, it transpires that petitioner is sister-in-law of informant's daughter, who is accused of torturing the daughter of the informant for Swift Dzire car. There is also allegation leveled against the petitioner is that the daughter of the informant has been placed under house arrest by the petitioner or the murder has been committed and the body has been made to disappear. Further, from perusal of para No.107 of case diary, statement of witness, who is the doctor, who examined the deceased wife of Niraj Kumar Jha namely, Aprajita Kumari, stated that Aprajita Kumari was died due to she was ill for some time and did not eat or drink anything. Further from perusal of para No. 7, 8, 120, 121 and 122 of case diary, the statement of witnesses, who have supported the case of prosecution. Further, from perusal of para No. 117 of case diary, it appears that the dead body of the deceased Aparajita Kumari was found from the bushes in the sacks at Katras- Rajganj Fore Lane Road under Katari bridge, on the identification of accused husband Niraj Kumar Jha, which indicates that the in-laws of deceased directly involved in the said crime and as a close relative (sister-in-law), the petitioner may have had both the opportunity and the motive to be involved in the incident. Moreover, there is direct and serious allegation and	
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01.02.25	petitioner is named in the F.I.R. Regard being had to the attending facts and circumstances of the case and gravity of the offence, I am not inclined to enlarge the accused petitioner on bail. Hence, the prayer for bail of accused petitioner namely, Binita Kumari @ Binita Jha stands rejected. (Dictated) sd/- (Kuldeep) Addl. Sessions Judge-VII, Dhanbad. J.O. Code - JH00572 Memo No. Dhanbad Dated Copy forwarded to the Court of Sri I.Z. Khan, J.M.F.C. Dhanbad for information and needful in connection with Madhuban P.S. Case No. 95/2024, for reference in BP No. 49/2025. (Kuldeep) Addl. Sessions Judge-VII, Dhanbad, J.O. Code - JH00572	