

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.353 of 2025

Arising Out of PS. Case No.-221 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Manju Devi W/o Bhagwan Singh Resident of Vill.-Dulhara, P.S.- Chainpur,
Distt.- Kaimur at Bhabhua. At present Vill.- Betari, P.S.- Chainpur, Distt.-
Kaimur at Bhabhua.

... .. Appellant/s

Versus

1. The State of Bihar
2. Pushpa Devi W/o Late Ravi Ram R/o Vill.- Betari, P.S.- Bhabhua, Distt.-
Kaimur at Bhabhua.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pawan Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 14-11-2025 1. Heard the parties.

2. The appellant has renewed her prayer for bail after setting aside the order dated 07.12.2024 passed by learned District & Additional Sessions Judge -I cum Special Judge, Kaimur at Bhabhua in connection with SC / ST Reg. No. 41 of 2024 arising out of Chainpur P.S. Case No. 221 of 2023 dated 26.07.2023 registered for the offence punishable under Section 302 / 201 of the I.P.C. Earlier, prayer for anticipatory bail of the appellant was rejected vide order dated 05.03.2024 passed in Cr. Misc. No. 74821 of 2023 and thereafter again prayer for bail was rejected vide order dated 13.09.2024 passed in Cr. Misc. No. 41019 of 2024.



3. The prosecution case as per the F.I.R. is that on 25.07.2023 in the night the informant's husband (deceased) received a call for booking of his auto and after that he left his home with the auto. After an hour when the informant tried to call the deceased on his mobile phone she got no response. On 26.07.2023 the husband of the informant was found killed and his dead body was lying near canal road. His auto was also standing there. The informant alleged that Manju Devi (appellant) had illicit relation with her husband and she has committed murder of her husband along with other accused persons.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case on the basis of suspicion only and there is no eye witness to the alleged occurrence. He further submits that the appellant and the informant are close door neighbours and due to some petty dispute the appellant has been falsely implicated. He next submits that there is one day delay in lodging of F.I.R. inasmuch as the occurrence took place on 25.07.2023 whereas the F.I.R. has been lodged on 26.07.2023 without any plausible explanation for the delay. He also submits that this is out and out a case of circumstantial evidence and no chain of circumstance



is complete against the appellant. The appellant is in custody since 30.03.2024.

5. On the other hand, learned counsel for the informant as well as State vehemently opposed the prayer for bail and submits that on the date of occurrence the CDR of the mobile of the appellant and the deceased were showing similar location for a long period of time. The bail application of the co-accused Siraj Kumar and Golu Kumar have been rejected for the second time vide order dated 12.09.2025 passed in Cr. Appeal (SJ) No. 1968 of 2025 & Cr. Appeal (SJ) No. 2005 of 2025 respectively.

6. This court has called for a report regarding the stage of trial vide order dated 10.10.2025 and in pursuance thereof learned Additional Sessions Judge -1st cum Special Judge, Kaimur at Bhabhua has submitted his report vide letter no. 63 dated 07.11.2025 stating therein that prosecution witness has been closed, defence evidence has started, one date has passed but defence did not produce any evidence. The trial court has given the estimated time to complete the trial within three months.

7. Regard being had to the submissions made by the parties, taking into consideration the fact that trial is likely to conclude within three months and bail application of co-accused persons



have been rejected, accordingly, I am not inclined to grant bail to the appellant at this stage. Accordingly, the application is dismissed.

8. However, the appellant may renew her prayer for bail after four months if the trial does not conclude.

(Anil Kumar Sinha, J)

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