

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58417 of 2025

Arising Out of PS. Case No.-538 Year-2023 Thana- GARKHA District- Saran

Saraswati Devi W/o- Late Vinay Manjhi Village- Kothiya PS- Derni Garkha
Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Narendra Kumar, Advocate Mr. Akash Ambuj, Advocate Ms. Anushka Kumari, Advocate
For the Opposite Party/s :		Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and Ms.
Sharda Kumari, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

3. The case of the prosecution is that the son of the informant had come from Delhi on 22.08.2023. The informant got information through phone that his son had taken poison but after some time he got information that he had committed suicide by hanging. When they reached and informed Garkha P.S. and police took the dead body for post-mortem. It is further alleged that from last one month the deceased wanted to take home his wife Saraswati Devi (petitioner) but she had illicit



relation with many persons due to which she did not want to go from there and due to this there was a dispute going on between the deceased and the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is the wife of the deceased. There is no specific allegation against her that she has killed the deceased, rather there is general and omnibus allegation against six persons that they have killed the deceased. From perusal of the post-mortem report it transpires that the cause of death is Asphyxia due to hanging. Learned counsel has also submitted that during investigation it has also come that the deceased has some altercation with his father. The petitioner is lady having clean antecedent and is in judicial custody since 19.04.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

6. If for a moment this allegation is true that the petitioner was having illicit relation with many persons, then also the nature of allegation is general and omnibus and it does not co-relate to the cause of death as the prosecution story itself is based on many grounds.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Garkha P.S. Case No. 538 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra.

(Ashok Kumar Pandey, J)

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