

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62116 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- Pothia District- Katihar

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Manti Devi @ Malti Devi, age 35 years, Female, W/o Raju Mandal, R/o
Khaira, Ward No 7, P.S.- Pothia, Distt- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 18-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pothia
P.S. Case No. 15 of 2025 dated 06.03.2025 registered for the
offences punishable under Sections 137(2), 140(1) read with
Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on 05.03.2025, the
daughter of the informant, namely, Kajal Devi, was called by the
co-accused Neeraj Kumar Mandal on mobile phone and asked
to come in the field near Khaira. The informant's daughter,
namely, Kajal Devi, has gone there but she did not return. The
informant suspects the co-accused Neeraj Kumar Mandal
alongwith Malti Devi (petitioner) and others have kidnapped her



daughter.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation of kidnapping the daughter of the informant against the petitioner and other co-accused persons. It is further submitted that only on the basis of suspicion, the present false case has been lodged by the informant. There is no specific allegation of kidnapping the daughter of the informant against the petitioner. The informant is not an eye witness to the alleged offence. It is further submitted that during the course of investigation, the dead body of the informant's daughter, namely, Kajal Devi, was recovered and thereafter the co-accused, Niraj Kumar Mandal, was arrested by police who confessed his guilt. It is further submitted that during the course of investigation, no legal evidence has come forward against the petitioner except the love affair between the petitioner and the co-accused Niraj Kumar Mandal who is the husband of the deceased, Kajal Devi, and the co-accused Neeraj Kumar Mandal had handed over the mobile of his wife, Kajal Devi (deceased) to the petitioner, and as such, there is no legal evidence against the petitioner. The petitioner is a lady. The petitioner has clean antecedent as stated



in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 08.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has further submitted that the statement of the petitioner has been recorded in paragraph no. 46 of the case diary in which she has stated that she had an illicit relationship with the co-accused Niraj Kumar Mandal who is the husband of the deceased Kajal Devi for which the deceased used to object her husband Neeraj Kumar Mandal and has also filed a case against him for which he was in trouble. Thereafter, the petitioner advised Neeraj Kumar Mandal to move out of the way of his wife Kajal Devi and thereafter the co-accused Neeraj Kumar Mandal called his wife Kajal Devi in the maize field and killed her and thereafter the petitioner and Neeraj Kumar Mandal fled away from the place of occurrence. He further submits that the co-accused Neeraj Kumar Mandal had handed over the mobile phone of his wife Kajal Devi to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned C.J.M.
Katihar, in connection with Pothia P.S. Case No. 15 of 2025.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

