

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88657 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- MOHANPUR District- Samastipur

Priya Devi W/o Suraj Mahto @ Suraj Kr. Mahto Resident Of Village -
Jalalpur, (Bindgama), Ps- Mohanpur, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anu Priyadarshni, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Mohanpur P.S. Case No. 78 of 2024 instituted for the offence
under Sections 103(1) & 3(5) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case in brief is that the informant,
married to petitioner, alleged that she had a bad character and
fled twice. On 04.07.2024, after he slept with his children, he
woke up to find his father dead with tied hands and legs. He
suspected that petitioner, along with unknown persons, killed his
father by pressing his neck.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 06-07-2024. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case only on the basis of suspicion. It is submitted that the petitioner is the wife of the informant and daughter-in-law of the deceased. It is submitted that deceased died due to over dose of liquor, as he often used to be in an intoxicated condition. The informant is not the eye witness to the occurrence. There is no direct or indirect evidence against the petitioner. Charge sheet is submitted.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that petitioner has confessed his guilt very categorically in her confessional statement, which fact finds mention at paragraph No. 21 of the case diary. Doctor has found cause of death due to asphyxia due to throttling (manual strangulation), as mentioned in postmortem report. Other witnesses have also supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, taking into account the confessional statement of the



petitioner, wherein she has confessed her guilt, this Court, at this stage, is not inclined to grant bail to the petitioner Prayer for grant of bail is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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