

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8562 of 2026

Arising Out of PS. Case No.-158 Year-2025 Thana- AGRER District- Rohtas

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Nanda Devi Wife of Manoj Choudhary Resident of village - Kuver Tola, P.S.-
Kargahar, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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

ORAL ORDER

8 20-07-2026 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Agrer
P.S. Case No. 158 of 2025 instituted for the offences under
Sections 103(1), 123, 61(2)(a) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that the petitioner, in
furtherance of a common intention with the co-accused,
allegedly administered poison by mixing it in the food of the
informant's father and brothers, resulting in their death.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The petitioner is named in the FIR merely on the basis of suspicion. He further contends that informant is not the eye-witness to the occurrence and the petitioner has been named merely due to previous dispute between the parties. It has been submitted on behalf of the petitioner that the petitioner is in custody since 19.09.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the accused persons including the petitioner committed the triple murder by administering poison in the food which is further supported by the viscera report which shows that Aluminium Phosphide, a highly poisonous substance was detected in visceral organs. He further submits that trial has commenced. Learned APP for the State relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the



*Court, be it the Trial Court or the High Court
should be loath in entertaining the bail application
of the accused.”*

6. Considering the aforesaid facts and circumstances
of the case as also nature and gravity of offence, this Court is
not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the
petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

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