

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12518 of 2026

Arising Out of PS. Case No.-339 Year-2025 Thana- JAYNAGAR District- Madhubani

1. Mala Devi Wife of Late Binod Kumar Pandey Resident of Village - Kuwarh, P.S.- Jaynagar, District - Madhubani and D/o Ganesh Mishra, Resident of Village - Rosra, P.S. - Rosra, District - Samatipur.
2. Guddu Pandey @ Guddu Mishra Son of Ganesh Mishra Resident of Village - Rosra, P.S. - Rosra, District - Samatipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

8 14-07-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in connection with Jaynagar P.S. Case No. 339 of 2025, instituted for the offences punishable under Sections 103(1), 238(a) and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that petitioner no. 1, owing to matrimonial discord, committed the murder of her husband. It is further alleged that, in conspiracy with her brother i.e. petitioner no. 2, she disposed of the dead body by throwing it into a roadside bush, where it was subsequently recovered after being noticed by villagers.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioners also submits that petitioner no. 1 is the wife of the deceased and petitioner no. 2 is brother of petitioner no. 1 and there is no any eye witness of the alleged occurrence. The allegation levelled against the petitioners are general and omnibus in nature. It is next submitted that the deceased did not come to home on the alleged date and thereafter he was found dead near the road. It is further submitted that the trial is in progress. The petitioners are in custody since 04.10.2025 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners. It is next submitted that there is specific allegation of committing murder of the deceased against the petitioners. All the prosecution witnesses have supported the prosecution case as mentioned in paragraph nos. 4, 5 and 6 of the case diary. It is also submitted that as per post-mortem report of the deceased, it transpires that the cause of death has been mentioned due to intracranial hemorrhage,



brain injury and shock caused by hard and blunt object. Hence, the petitioners do not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioners.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of five months from the date of receipt/production, the petitioners will have liberty to renew their prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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