

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37176 of 2026

Arising Out of PS. Case No.-85 Year-2026 Thana- BIHRA District- Saharsa

Pinki Devi W/o Mukesh Mandal @ Mukesh Mahto Resident of Village-
Sukhpur, P.S.- Supaul, District- Supaul Pin Code- 852131

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arjun Kumar Mahto S/o Late Vidyanand Mahto Resident of Village- Murli
Bharna, Ward No. 08, Post- Murli Bharna, Basantpur, P.S.- Bangao, District-
Saharsa, Pin Code- 852201

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Purushottam Kumar, Adv.
For the Opposite Party/s : Mrs. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 28-07-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection
with Bihra P.S. Case No. 85 of 2026, registered for the offences
punishable under Sections 103(1), 61(2), 238 and 3(5) of the
B.N.S.

3. Based upon the written report, the prosecution
alleges that the marriage of the informant's daughter was
solemnized with Rahul Mandal, who had later on entered into a
relationship with the petitioner, and since the informant's
daughter was all along making objection with such relationship,
all the accused persons, including the petitioner, in connivance



with each other, strangled the informant's daughter to death.

4. Learned Advocate for the petitioner submitted that the occurrence of causing death took place within the matrimonial home of the deceased, and only on the suspicion of extramarital affairs of the deceased husband with the petitioner, her name has been implicated in this case. During the investigation, nothing has surfaced regarding the complicity of the petitioner that she had anyhow instrumental in causing the death of the deceased. The husband of the deceased is in custody since 13.03.2026, and now the petitioner, who is a lady having fair antecedent, apprehending her arrest, hence the present application for pre-arrest bail.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the motive of causing death of the deceased is evident from the materials available on record. The record reveals that it is the petitioner, who has instigated the deceased's husband, whereupon he strangled to her death.

6. Having considered the submissions advanced on behalf of the learned Advocate for the respective parties and taking note of the materials available on record, this Court finds that save and except the suspicion of extramarital affairs



between the deceased's husband and the petitioner, there is no other material suggesting the complicity of the petitioner. Besides, the petitioner is a lady, having fair antecedent, let the petitioner above named be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class, Saharsa in connection with Bihra P.S. Case No. 85 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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