

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37408 of 2026

Arising Out of PS. Case No.-34 Year-2026 Thana- FESHAR District- Aurangabad

Sumitra Devi W/o Mahendra Yadav Resident of Village- Alampur, P.S.- Fesar,
District- Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Mukul Kumari, Advocate
For the Opposite Party : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

3 28-07-2026 Heard Ms. Mukul Kumari, learned counsel appearing
on behalf of the petitioner and Ms. Madhuri Lata, learned APP
for the State.

2. The present application has been filed on behalf of
the petitioner for grant of regular bail in connection with Fesar
P.S. Case No. 34 of 2026, G.R. No. 942 of 2026, for the offence
punishable under section 103(1), 238, 3(5) of B.N.S.

3. As per the prosecution case, informant has lodged
this FIR against the co-accuse Mantu Yadav as well as his
mother, namely, Sumitra Devi (petitioner) alleging that the co-
accused Mantu Yadav has murdered his daughter, namely, Baby
Devi by cutting her throat and it is alleged against the petitioner
that she had wiped out the blood stains from the scene of
occurrence.

4. Learned counsel for the petitioner submitted that



the petitioner is innocent and has falsely been implicated in the present case with ulterior motive. The petitioner is the mother-in-law of the deceased, aged about 60 years. It is further submitted that two persons are named in the FIR along with the petitioner but there is nothing specific allegation against the petitioner.

5. It is further submitted that the husband of the deceased, namely, Mantu Yadav is already in judicial custody. There is specific allegation against co-accused, namely, Mantu Yadav to commit murder of the deceased and this petitioner reside separately from her son. It has further submitted that there is no any evidence or eye-witness in support of allegation against this petitioner and no incriminating article has been recovered from the physical possession or house of the petitioner.

6. In the case diary, the only allegation against the petitioner is that she wiped out the blood stain from the place of occurrence. Charge-sheet has already been submitted against the petitioner. The petitioner is in judicial custody since 31.03.2026 having clean antecedent.

7. Learned APP for the State has vehemently opposed the prayer for bail.



8. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Aurangabad/concerned court in connection with Fesar P.S. Case No. 34 of 2026, G.R. No. 942/2026, subject to following conditions:-

(i) One of the bailors should be family member of the petitioner.

(ii) Petitioner will co-operate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the Court on that date.

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the prosecution shall be at liberty to take steps for cancellation of the bail bonds.

(Kumar Manish, J)

Ranjeet/-

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