

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76084 of 2025

Arising Out of PS. Case No.-1303 Year-2023 Thana- PHULWARISHARIF District- Patna

Ajmeri Khatoon @ Manju Devi D/o Md. Allauddin R/o Village / Mohalla -
Bhusaila Ward no. 8, Danapur, P.S - Phulwari Sharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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

ORAL ORDER

3 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Phulwarisharif P.S. Case No. 1303 of 2023, S.Tr. No. 362 of
2024 instituted for the offences under Sections 302, 34 of the
Indian Penal Code.

3. Allegation against the petitioner is of commission of
murder of her husband with the help of her other family
members.

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. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.09.2023 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 as per paragraph no. 20 of the case diary, the petitioner has herself confessed her guilt. 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. As per the report dated 01.12.2025 sent by learned court below regarding stage of the trial, the trial is likely to be concluded in the next four months. It is further reported that out of nine witnesses, only three witnesses are left for examination.



7. Considering the aforesaid facts and circumstances of the case as also the stage of the trial, this Court is not inclined to grant bail to the petitioner at this stage.

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

9. Learned Trial Court is directed to expedite the trial and conclude the same as expeditiously as possible, preferably within three months.

10. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of three months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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