

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Bail Petition No. 402/2026

(Arising out of **Pirpanti P.S. Case No. 51/2023**)

Masomat Kari Devi, W/o Late Radhe Mandal

.....**Petitioner**

Versus

The State of Bihar

.....**Opposite Party**

Appearance:

For the Petitioner:

Mr. Dr. Rajiv Kumar Singh, Learned Advocate.

For the State:

Mr. Kashi Nath Mishra, Learned A.P.P.

Date of Order	Order with Signature of the Court
1	2
07.05.2026	A regular bail petition has been filed on behalf of the above named accused-petitioner who is in judicial custody since 14.03.2026 in connection with Pirpanti P.S. Case No. 51/2023 for the offence punishable U/s 363, 365, 34 IPC. On behalf of petitioner a certificate has been given at para-2 of bail petition that earlier petitioner has not filed any anticipatory or regular bail petition either before Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. A certificate has given at para-3 of the bail petition that accused-petitioner has no criminal antecedent. Prosecution case, as per FIR of informant Suresh Mandal, in brief, is that informant has two sons namely Rajkumar Mandal and Baban Madnal and the marriage of Rajkumar Mandal was solemnized with Champa Devi. Six children born out of wedlock of both of them. On 31.01.2023 informant's son namely Rajkumr Mandal went to his Sasural but not returned within two days. Thereafter, informant started searching his son but not found. Thereafter, informant claimed that his son namely Rajkumar Mandal has been murdered by Niraj Mandal, Massomat Kari Devi, Sitaram Mandal, Ambika Mandal, Champa Devi and Manoj Mandal and disappeared his dead-body by accused-petitioners. Hence, the FIR. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and she has falsely been implicated in this case. Further, submits that petitioner is a senior citizen and her age is about 89 years and petitioner has filed the petition for bail before the Hon'ble High Court, Patna vide Cri. Misc. No. 46809 of 2025 in which it has been directed the accused-petitioner to surrender before the Court and petitioner has no unfair relation with the informant and petitioner is suffering from old age illness and she is not capable of doing daily routine essential works/activities. Further, submits that petitioner is in judicial custody since 14.03.2026, hence, petitioner deserves

Contd..../P-2 07.05.2026	bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for regular bail of the petitioner. Heard both the parties. Perused the case record as well as case diary and on perusal the same it transpires that there is allegation against this accused-petitioner that the son of informant went to home of his matrimonial and he has been traceless till dated from there. During the investigation, this accused-petitioner is arrested by the police and stated in her statement before the police that her Damad came to her home for taking her daughter by him but her daughter stated that she will go on next date, upon this her Damad gone outside from her home and came after one hour and stated that her Damad (deceased) has taken poison and end his life. Thereafter, with the permission of her Damad's family members the dead body of deceased was burnt and after 14 days her Samdhi lodged this case against her and her family members. Witnesses have also reiterated the version of this accused-petitioner. Further, no any witnesses have stated that this accused-petitioner has helped the deceased to commit suicide by taking poison. Further, accused-petitioner is a lady aged about 89 years and she is unable to do daily routine work. Moreover, being a lady she has been languishing in judicial custody since 14.03.2026 which is more than one and half month. In the facts and circumstances as stated above and considering the period of custody, petitioner is directed to be released on bail <i>after framing of charge</i> on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two surety of the like amount each to the satisfaction of the Ld. Trial Court with conditions: (1) One of the bailor must be close relative of the petitioner. (2) Petitioner shall physically present on each and every date before the Ld. Trial Court till framing of charge. Sd/- Additional Sessions Judge II Bhagalpur.