

Page No. 1 of 3
Santosh Kumar Pandey, D&ASJ - II, Darbhanga
BP No. 514/2026
(Arising out of Kamtaul P.S. Case No. 143/2025)
Radha Devi versus the State of Bihar.
Date of Order -22.06.2026

IN THE COURT OF ADDITIONAL SESSIONS JUDGE - II, DARBHANGA
BP No. 514/2026

Radha Devi w/o Late Ajay Kumar Thakur, resident of Village - Sotiya Brahampur,
P.S. - Kamtaul, District - Darbhanga
Petitioner

versus

State of BiharOpposite
Party

Counsel for the Petitioner (s) : Sri Shiv Shankar Jha, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

ORDER
22.06.2026

1. The present application has been filed on behalf of the petitioner seeking regular bail in connection with Kamtaul P.S. Case No. 143 of 2025, registered for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS"). The petitioner is in judicial custody since **15.05.2026**.
2. The prosecution case, as disclosed in the First Information Report, in brief, is that the Informant's mother died in the year 2011 and thereafter the Informant, his brother and their father were residing together. It is alleged that in the year 2014, the present petitioner, Radha Devi, was married to the Informant's father, namely Ajay Kumar Thakur (since deceased). According to the Informant, the petitioner had previously contracted marriage on two occasions prior to her marriage with the deceased. It is further alleged that the petitioner and co-accused Vijay Thakur used to subject the deceased to physical assault and harassment. The deceased was serving as a Panchayat Sachiv and was posted at Baheri. According to the Informant, on 08.07.2025 at about 02:30 P.M., he received information from villagers regarding the death of his father. Upon reaching the place of occurrence along with his brother, he found his father lying unconscious on a bed. It is alleged that the petitioner informed them that the deceased had committed suicide by hanging himself. The Informant has further alleged that he noticed a ligature mark on the neck of the deceased, blood oozing from his eyes and foul odour emanating from his

mouth. It is alleged that the deceased was due to retire from service within two years and, on account of the aforesaid circumstances, the Informant suspected that the petitioner and co-accused Vijay Kumar had murdered his father with a view to securing employment benefits arising out of his death. On the basis of these allegations, the present FIR came to be instituted against two accused persons, including the present petitioner.

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. It has been argued that the petitioner is the legally wedded wife of the deceased and that the allegations levelled against her are vague, conjectural and based merely on suspicion. Learned counsel further submitted that the petitioner has no criminal antecedents and has remained in judicial custody since 15.05.2026. On these grounds, prayer for regular bail has been made.
4. Learned Public Prosecutor opposed the prayer for bail and submitted that the petitioner is the wife of the deceased and is closely connected with the circumstances surrounding the occurrence. It has been pointed out that during preparation of the inquest report, the investigating agency noticed a circular ligature mark around the neck of the deceased and blood oozing from his ear. It has further been submitted that the post-mortem examination report opines the cause of death to be asphyxia resulting from ante-mortem hanging. Learned Public Prosecutor further submitted that the witnesses examined during investigation, as reflected in the case diary, have supported the prosecution version. It has also been pointed out that investigation in the matter is still in progress. However, it has fairly been conceded that the case diary does not disclose any criminal antecedent of the petitioner.
5. I have heard the learned counsel for the parties and carefully perused the materials available on record, including the case diary. Upon consideration of the allegations contained in the FIR, the materials collected during investigation, the inquest report, the post-mortem findings and the statements of witnesses recorded in the case diary, it appears that the death of the

deceased occurred under circumstances which require thorough investigation. The post-mortem report indicates that the cause of death was asphyxia resulting from ante-mortem hanging. The witnesses examined during investigation have also supported the prosecution case to a considerable extent.

6. At this stage of investigation, considering the nature of accusations, the relationship of the petitioner with the deceased, the surrounding circumstances in which the death occurred and the materials collected during investigation, this Court is of the considered opinion that no case for grant of regular bail is made out. The seriousness of the allegations and the stage of investigation do not warrant release of the petitioner on bail at this juncture.
7. Accordingly, the prayer for regular bail made on behalf of the petitioner stands **rejected**.

(Santosh Kumar Pandey)
Additional Sessions Judge - II,
Darbhanga
22.06.2026

Date of Judgement/order	22.06.2026
Date of reserving judgement/Order	22.06.2026
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