

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7631 of 2015

Arising Out of PS.Case No. -626 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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Rekha Devi wife of Sri Lakhan Das, resident of village-Gudari Tola,
Belouri, P.S. Mufassil, District-Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

7 23-06-2015

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in a case registered
for the offence punishable under Sections 323, 328, 302
and 34 of the Indian Penal Code.

The allegation against the petitioner is that she
along with her husband assaulted the deceased while she
protested cutting of branch of a tree and further
allegation is that in the evening at about 6 P.M. the
petitioner along with her husband and three others
administered Thimat to the deceased. She was taken to
the hospital where she died.

It is submitted by the learned counsel for the
petitioner that petitioner is a lady and there is no specific
allegation of overt act against her. She has no criminal
antecedent and has been in custody since 18.12.2014

Learned counsel for the State submits that there
is specific allegation of overt act against the petitioner.
The petitioner is involved in both the occurrence. The
daughters of the deceased are the eye witnesses to the
occurrence. The Forensic Science Laboratory report

also suggests that the deceased died due to administering of Aluminium Phosphide which is commercially known as ‘Celphos’. It is a highly poisonous substance.

Considering the facts and circumstances of this case, in my opinion, the petitioner does not deserve bail. Prayer for bail is rejected at this stage.

(Amaresh Kumar Lal, J)

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