

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24651 of 2015

Arising Out of PS.Case No. -91 Year- 2014 Thana -NAYA RAM NAGAR District- MUNGER

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Seema Devi, wife of Late Lalan Kumar, resident of Village - Parham, P.S.
Naya Ram Nagar, District Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.

For the Opposite Party/s : Mrs. Sahin Begum, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-08-2015

Heard both sides

The petitioner seeks bail in a case under Sections
328, 302/34 of the Indian Penal Code.

The brother of the deceased alleged that Lalan Kumar
had gone to his in-laws' house but his wife and other in-laws were
not providing him food. He was suffering from Gastritis. Seema
Devi gave him some powder as medicine but Lalan Kumar died.
Learned counsel for the petitioner submits that the petitioner is a
lady. There are contradictory versions in the F.I.R. and the
statements of the witnesses. The petitioner happens to be the wife
of the deceased. She did not bring medicine. Her brothers gave her
medicine. The petitioner is in jail since 09.06.2014.

The informant has only made allegation that the
brothers of the wife of the deceased were not providing him food.

The deceased disclosed to the informant that it was the petitioner Seema Devi who gave Fakki as medicine and consequently Lalan Kumar died. The F.S.L. report shows presence of Thimet.

Having considered the fact that it was the petitioner who gave poisonous substance to her husband causing his death, I am not inclined to enlarge the petitioner on bail in Naya Ram Nagar P.S. Case No. 91 of 2014, corresponding to S.T. No. 30/2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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