

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26505 of 2015

Arising Out of PS.Case No. -313 Year- 2010 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Bibha Devi Wife of Late Suresh Ram Resident of Village - Mohanpur
Police Station - Samastipur (Mufassil), District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan

For the Opposite Party/s : Mr. Ajay Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 12-10-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Samastipur
(Mufassil) P.S. Case No. 313 of 2010 registered for the offences
punishable under Sections 328, 302 of the Indian Penal Code.

Allegedly, the petitioner being daughter-in-law served
the food to the informant, his sons, daughter and wife but the
petitioner did not take the meal on the ground that she is not
feeling well and thereafter all started feeling uneasiness. Suresh
Ram, Gandhi Ram and Pinki Kumari died at once and thereafter,
the informant, his wife and Nidhi Kumari were brought to Sadar
Hospital, Samastipur where the condition of Raj Kumari Devi is
serious. It is claimed that the petitioner after mixing poisonous

substance in the meal served the same causing death of three persons at once.

Submission is of false implication and that the petitioner has got no criminal antecedent and she is newly wedded wife and she has been made victim of circumstances. In the post mortem report no definite opinion for cause of death has been given and viscera was not sent to Forensic Science Laboratory for test. No one has seen the petitioner mixing poison with the meal and she is suffering in custody since 08.06.2010 and, as such, she deserves sympathetic consideration to which the learned APP opposes by submitting that trial is in progress and it is likely to be concluded.

In the facts and circumstances stated above, considering the allegations attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, her such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as early as possible, preferably within four months, by taking all the positive steps for securing presence of rest witnesses.

(Jitendra Mohan Sharma, J)

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