

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41383 of 2015

Arising Out of PS.Case No. -87 Year- 2015 Thana -KISHUNPUR District- SUPAUL

1. Maharani Devi, Wife of Bhikhho Sah,
2. Priyanka Kumari, Daughter of Bhikhho Sah, both are resident of Village-
Singiawan, Police Station- Kisanpur, District- Supaul

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 13-10-2015 Heard learned counsel for the petitioners and the
State.

Petitioners are apprehending their arrest in connection with a case for the offence under Sections 302, 328 and other allied sections of the Indian Penal Code registered in connection with death of daughter, sister-in-law of the two petitioners respectively.

It is submitted on behalf of the petitioners that from the postmortem report of the deceased, it will appear that the viscera of the deceased has been preserved for chemical examination, but till date report has not been received. It is also submitted that as and when chemical examination report is received, it will appear that deceased was not poisoned and

died a natural death, as there is no injury found on her person at the time of postmortem of the dead body. It is not understandable as to why viscera report has not been received so far though postmortem was conducted on 27.05.2015.

Let Superintendent of Police, Supaul see as to why viscera report of the deceased has not yet been received. In case, viscera has not yet been sent for chemical examination, the same be sent forthwith and explanation be sought from the Investigating Officer/ Officer-in-charge concerned for dereliction of duty.

Let petitioners above named surrender in the court below within four weeks from the date of receipt/ production of a copy of this order in the court below and thereafter petitioner no.2, Priyanka Kumari being unmarried daughter of petitioner no.1 be released on bail on furnishing bail bond of Rs. 5,000/- (Rs. Five thousand only) with two sureties of the like amount each to the satisfaction of C.J.M., Supaul in connection with Kisanpur P.S. Case No. 87 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

In case, viscera report is positive and deceased is found to have been poisoned, the court below shall pass appropriate order so far petitioner no.1, Maharani Devi is

WE
NOT

concerned.

Until receipt of viscera report, no coercive steps be
taken against petitioner no.1.

(V.N. Sinha, J.)

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