

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42922 of 2015

Arising Out of PS.Case No. -153 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Saroj Devi W/o ShriLaldeo Patel, R/o Village Amwa Brit, P.S. -
Paharpur, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Satyendra Pd.(App)

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

ORAL ORDER

5 18-01-2016 Forensic Science Laboratory report received in sealed

cover was opened and was perused.

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence
punishable under section 302 of the I.P.C

Allegedly, Mukesh Patel, husband of the informant
was having illicit relationship with the petitioner and he went to
the house of the petitioner and after some time he returned
vomiting and told the informant and others that he was
administered poison by the petitioner and thereafter he died.

Submission is of false implication and that the

petitioner has been implicated only with a view to grab the property and ulterior motive, from earlier there was land dispute, on the fateful day the husband of the informant was badly drunk and was roming in the street in the village, the petitioner has been made victim of the circumstances and she is suffering in custody since 08.06.2015 and as such she deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that besides the informant, the father, mother and aunt of the deceased have supported the prosecution version vide paragraphs- 8, 9 and 10 of the case diary and in the forensic science laboratory report aluminum phosphate was detected in the container of plastic jar and as such the petitioner does not deserve bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly her such prayer stands rejected in connection with Paharpur P.S. Case No. 153 of 2015 pending in the court of C.J.M. East Champaran at Motihari.

(Jitendra Mohan Sharma, J)

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