

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50939 of 2015

Arising Out of PS.Case No. -372 Year- 2014 Thana -SUPAUL District- SUPAUL

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Deoki Devi, Wife of Rajendra Rai, Resident of village - Andauli, P.S.
Supaul, District – Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Shankar Shrivastava

For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 05-02-2016

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner is accused in connection with Supaul P.S.
Case No. 372 of 2014, registered under Sections 302 and 328/34 of
the Indian Penal Code.

The allegation of informant is that the marriage of his
sister Malti Devi was performed with Ganesh Mishri of village Adauli
and due to their wedlock there are three children, namely, Radha Devi
aged about 20 years, and two sons namely, Gautam Kumar, aged
about 12 years and Govind Kumar aged about 10 years. The sister of
the informant has already died due to administering poison two years
ago and there was illicit relationship of his brother in law Ganesh
Mishri with the petitioner Deoki Devi, wife of Rajendra Rai. While
his sister tried to convenience her husband, but her husband did not
give any heed on it. On 16.08.2014, in the morning, the informant

came to know that his brother-in-law Ganesh Mistri in connivance with the present petitioner Deoki Devi administered poison to his both nephews, due to which they died.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the First Information Report and the case diary that there is no eye-witness to the effect of administering the poison serving in the food of the nephews of the informant. The petitioner, who is co-villager of the co-accused Ganesh Mistri, has been implicated in this case merely on the suspicion that there is illicit relationship between the petitioner and co-accused Ganesh Mistri. Except that there is nothing on the record. The petitioner is a lady and she is in custody since 16.08.2014.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge, Supaul in connection with Sessions Trial No. 240 of 2014 arising out of Supaul P.S. Case No. 372 of 2014.

(Rajendra Kumar Mishra, J)

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