

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58100 of 2017

Arising Out of PS.Case No. -90 Year- 2017 Thana -BIKRAM District-PATNA

1.Arati Kumari, W/o Ajay Kumar and Daughter of Sudama Prasad,
2. Sangita Devi W/o Sudama Prasad, Both R/o Village- Mahajpura Pokhar,
P.S.- Bikram, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Niwas Prasad, Adv.

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 12-12-2017

No one appears on behalf of the petitioners.

Heard learned counsel for the informant and

learned APP for the State.

Petitioners seek bail in a case registered for the offences punishable under Sections 302, 120(B) and 34 of the Indian Penal Code.

Petitioner, Arati Kumari is wife of victim, Ajay Kumar and petitioner, Sangita Devi is Nanad of Arati Kumari. The FIR was lodged by the brother of the deceased. The FIR reveals that Arati Kumari was not pulling well with her husband and on the alleged date of occurrence, she had called the husband to her material house and administered some poison in the food served to the victim. This fact was disclosed by the victim himself on the



mobile phone to the informant. The dead body was found in the PMCH.

Learned counsel for the informant submits that the FIR discloses that the case is based on dying declaration and there is no material to disbelieve the statement of the deceased.

Considering the fact that there is no eye witness of the occurrence and the petitioners are female as well as the fact that they are in custody since 12.08.2017, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bikram Police Station Case No.90 of 2017, subject to the condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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