

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53322 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -CHAKAI District- JAMUI

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1. Daizy Devi Wife of Sita Ram Ray
2. Manisha Kumari Wife of Late Pankaj Chaudhary All are resident of
Village- Bishunpur, P.S.-Chakai, District-Jamui.... Petitioner/s
Versus

1. The State of Bihar Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Satyam Shivam Sundaram

For the Opposite Party/s : Mr. Iftekhar Mahmood
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 27-02-2017 Heard both sides.

The petitioners seek bail in Chakai P.S. case No. 7 of
2016 under Section 302, 34, 328 of the Indian Penal Code.

The brother of the deceased alleged that his brother
had gone to his Sasural to take his wife but he came to know that
the in-laws and wife of his brother poisoned him to death. The
informant and others went to the in-laws house of his brother and
found his brother lying dead on a cot. Froth was coming out from
his mouth and nose.

The learned counsel for the petitioners submits that,
of course, the deceased died in the house of the petitioners and the
petitioners are mother-in-law and wife of the deceased but during
the course of investigation none of the witness has supported the
case of prosecution. The witnesses have stated that the deceased



was habituated to drink and his wife was not willing to accompany her husband that is why the deceased consumed poison and fell down at the Khalian of Arvind Rai, who informed father-in-law of the deceased, Sitaram Ray, who came and took his son-in-law to his house where the deceased died. It is submitted that, of course, in post mortem report Amonium Sulphate was found but there is no evidence on record that the petitioners, in any way, administered poison to the deceased. Sitaram Ray, father-in-law of the deceased, has already been granted anticipatory bail by a coordinate bench of this court vide order dated 23.02.2017 passed in Cr. Misc. No. 2897 of 2017. The petitioners are ladies and they are in jail since 10.08.2016.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ajit Kumar Singh, learned Additional Chief Judicial Magistrate-II, Jamui in Chakai P.S. Case No. 7 of 2016.

(Prabhat Kumar Jha, J)

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