

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27199 of 2018

Arising Out of PS.Case No. -218 Year- 2017 Thana -SISWAN District- SIWAN

- =====
1. Gopichand Mahato @ Gopichand Mahto, Son of Late Yamuna Mahto,
 2. Kaushalya Devi, Wife of Gopichand Mahto, Both are residents of Village- Ubdhi, P.S.- Siswan, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kamal Nayan Choubey, Sr. Advocate
Mr. Prashant Kumar
For the State : Mr. Prem Kumar Jha, APP
For the informant : Mr. Avanish Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 09-07-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek bail in connection with Siswan P.S. Case No. 218 of 2017 registered for the offences punishable under Sections 328, 302, 201 and 120B/34 of the Indian Penal Code.

The allegation is regarding the husband of the deceased having died in a road accident two years prior to the present incident and thereafter it is alleged that the victim lady was poisoned by her mother-in-law and father-in-law (petitioners herein) and other co-accused persons.

The learned senior counsel for the petitioners has argued that the deceased lady was being kept by the petitioners herein even after the death of her husband in an accident and there is no



iota of any complaint regarding any misbehaviour or torture as far as the daughter in law is concerned. It is further submitted that even the postmortem report bears it out that the victim lady might have died of poisoning since there is no external mark of any injury.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to grant regular bail to the petitioners herein subject to the receipt of the viscera report.

In such view of the matter, the petitioners, above named, are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-X, Siwan in connection with Siswan P.S. Case No. 218 of 2017.

It is needless to state that after receipt of the viscera report, if so advised, the informant would be at liberty to move this Hon'ble Court for appropriate directions.

(Mohit Kumar Shah, J)

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