

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44344 of 2018

Arising Out of PS.Case No. -76 Year- 2018 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. SUMITRA DEVI @ SUMITARA DEVI, W/o Phulachan Ram,
2. Manoj Ram S/o Phulchand Ram, Both R/o Vill.- Sitapar Patihar, P.S.-
Chautarwa, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-09-2018 The petitioners are in custody since 01.05.2018 in connection with Chautarwa P.S. Case No. 76 of 2018, registered for offences punishable under Sections 302, 328 and 34 of the Indian Penal Code.

Petitioner no.1 happens to be wife of co-accused namely Phoolchand and petitioner no. 2 is his son and it is alleged that they dragged the deceased, who happens to be the second wife of co-accused Phoolchand, to their home and assaulted her and administered her poison causing her death.

It has been submitted on behalf of the petitioners that no specific allegation has been attributed against the petitioners. Further submitted that the postmortem report does not show any



external injury on the body of the deceased and they have been languishing in judicial custody since 01.05.2018.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances and as no external injury was found on the person of the deceased, let the petitioners above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M, Bagaha, in connection with Chautarwa P.S. Case No. 76 of 2018, with following conditions:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two



consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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