

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45980 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Rubi Kumari daughter of Sri Suresh Yadav Resident of Village - Ishapur,
P.S. - Noorsarai, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar
For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 03-01-2018 Heard the counsels for the parties.

The petitioner seeks bail in connection with
Noorsarai P.S. Case No. 99 of 2017 dated 27.04.2017 instituted
for the offences under Sections 328, 302/34 of the Indian Penal
Code.

The petitioner is wife of the deceased.

The mother of the deceased has lodged the F.I.R
alleging that on the date of the occurrence, her son/deceased who
was working in *Bengaluru* in a private company had gone to his
in-laws' house and telephoned her that he is being assaulted by his
wife and other members of her family and that he would be killed
by administering poison. On such information, the mother of the



deceased went to his in-laws' house and found her son dead.

During the course of investigation, it came to light that the deceased had fought with his parents and had consumed poison on way to his in-laws' house. No sooner had he reached his father-in-law's house, he died. The investigation papers further reveal that at the time of death of the deceased, he was accompanied by his father-in-law and other members of the family of the petitioner. In fact, all attempts were made to get him treated but on the way, he died. Even independent persons of the village have disclosed that the relationship between the deceased and his wife (the petitioner) had been cordial. The postmortem report does not speak of any external or internal injury. This actually belies the correctness of the statements made in the F.I.R by the mother of the deceased.

The petitioner is in custody since 28.04.2017. The charge-sheet in this case has already been submitted and there is now no chance of tampering with the evidence.

Taking into account the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction



of learned Sub-Divisional Judicial Magistrate, Biharsharif,
Nalanda in connection with Noorsarai P.S. Case No. 99 of
2017(G.R. No. 1654 of 2017).

(Ashutosh Kumar, J)

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