

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24483 of 2018

Arising Out of PS.Case No. -106 Year- 2016 Thana -CHANDMUNDI District- JAMUI

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1. Rupa Devi Wife of Shankar Yadav Resident of Village - Taroun, P.S. - Chandramandih, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 24-09-2018 The petitioner is in custody since 13.11.2017 in connection with Chandramandih P.S. Case No. 106 of 2016, registered for offences punishable under Sections 302, 328 and 34 of the Indian Penal Code.

Allegation as per F.I.R. is that informant got information that his *Bhagina* died and on enquiry he came to know that his *Bhagina* was seen near khalihan in position of doing vomiting and father of the deceased and his step mother did not say anything and he suspect that his step mother (petitioner) has administered poison to his *Bhagina* by mixing the same in food.

Submission of learned counsel for the petitioner is that she has been made accused only on the basis of suspicion and except suspicion, there is nothing against her. Further submission



is that the petitioner is a lady and she has been in custody since 13.11.2017.

Heard learned A.P.P. also, who opposed the prayer of bail of the petitioner stating that the report of F.S.L. shows that the plastic jar, which was sent for chemical examination contained Aluminum Phosphate and the same is highly poisonous.

Having heard both sides, in view of the facts and circumstances as stated above, at this stage, I am not inclined to enlarge the petitioner on bail. However, since she is lady, once the charge is framed against the petitioner and the trial is commenced, the learned Trial Court shall release the petitioner on bail to his own satisfaction.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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