

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70726 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- RAHUI District- Nalanda

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Anjali Kumari wife of Shiv Shankar Kumar, resident of Village- Paithna,
Police Station- Rahui (Bena), District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsels for the petitioner and State.

The petitioner being the sister-in-law (Gotni) of the victim is apprehending arrest in a case registered for the offences punishable under Sections 328 and 302/34 of the IPC.

The prosecution case, as per the written report of Satyanarayan Bind dated 04.02.2018, submitted to the Station House Officer, Rahui (Bena) Police Station, is to the effect that the daughter of the informant, Rita Devi was married with Arbind Kumar Chauhan about 18 years ago. Subsequently, they were blessed with two sons and two daughters. It is alleged that other family members used to assault the informant's daughter. On 03.02.2018, the daughter of the informant along with her son went to her matrimonial house, when all the in-laws family members assaulted her and forcibly administered poison, as a



result, the daughter of the informant died.

It is submitted by learned counsel for the petitioner that the husband of the petitioner is employed outside the state and there is nothing on record to suggest that the petitioner was present at the place of occurrence. It is further submitted that the impugned order reflects that on repeated order of learned Sessions Judge, the postmortem report and case diary have not been produced, but it is submitted by learned counsel for the petitioner that postmortem report does not reflect any external or resisting injury and the cause of death has not been ascertained whereas the viscera has been preserved.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the informant is not the eye-witness to the occurrence and the accusation of assault and forceful poisoning the victim does not get corroborated with the medical opinion, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rahui (Bena) P.S. Case No. 29 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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