

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15151 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- Matiyaria District- West Champaran

Anita Devi W/o Tippu Singh, Resident of Village- Ekderawa, P.S.- Matiyaria,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-03-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of her arrest in connection with Matiyaria P. S. Case No. 56 of 2018 dated 02.10.2018 instituted for the offences under Sections 328 and 302 of the Indian Penal Code.

The son of the informant was found lying dead on a road in a drunken state. During the course of investigation, a suspicion was raised on the petitioner and her husband of poisoning the deceased. The further case of the prosecution is that perhaps on account of illicit relationship of the petitioner with the deceased, such steps



may have been taken by the petitioner and her husband.

Mr. Sanjeev Kumar, learned counsel for the petitioner has submitted that the implication of the petitioner in the present case is merely on the basis of suspicion without any foundation.

The petitioner denies of being in any illicit relationship with the deceased. It has further been submitted that only suspicion cannot be the basis of prosecuting the petitioner in the present case.

It has also been submitted on behalf of the petitioner that if at all the allegation of the petitioner carrying on an affair with the deceased is assumed to be true, the only person who would have animus against the deceased would be the husband of the petitioner, who too has been made accused in this case.

The husband of the petitioner is languishing in jail.

Taking into account the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of



receipt / production of a copy of this order, on her furnishing
bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with
two sureties of the like amount each to the satisfaction of
the learned Chief Judicial Magistrate, Bettiah, West
Champaran in connection with Matiyaria P. S. Case No. 56
of 2018, subject to the conditions as laid down under
Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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