

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16366 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- ANDHRAMATH District- Madhubani

Gulab Devi, W/o Raj Kumar Mandal, R/o Village- Chhattapur, Datta Tol,
P.S.- Andhramath, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Jagdish Prasad Singh, Advocate Mr. Arvind Kumar, Advocate
For the Opposite Party	:	Dr. Mrityunjaya Kumar Gautam, APP
For the Informant	:	Mr. Jitendra Kuamr Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 21-05-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks bail in connection with
Andhramath P.S. Case No.162 of 2018 registered under Sections
304B read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the son of the petitioner was married to the grand-
daughter of the informant. After marriage, she was peacefully
living in her *sasural* and after about one year, she died a natural
death. However, only out of suspicion, the informant has
instituted a case of death due to poisoning. The body was
subjected to postmortem examination on 16.10.2018 and no
antemortem injury was found on her person. The viscera was



preserved, but till date, the viscera report is not available. The investigation is completed and the petitioner has been sent up for trial. She is in custody since 17.10.2018.

Learned counsel for the State and learned counsel appearing for the informant opposed the application for grant of bail to the petitioner. They stated that there is allegation in the first information report that the victim was subjected to cruelty for non-fulfilment of dowry in her matrimonial home. However, they admitted that till date viscera report is not record.

Having regard to the submissions made above, since there is no material to support the contention that the death of the victim was an unnatural one, the petitioner, who is in custody since 17.10.2018, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of A.C.J.M.-1st, Jhanjharpur, Madhubani in connection with Andhramath P.S. Case No.162 of 2018 subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed;
- (b) that the petitioner shall not commit an offence similar to the offence of the present case; and



(c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J.)

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