

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18489 of 2019

Arising Out of PS. Case No.-291 Year-2018 Thana- BIBHUTIPUR District- Samastipur

1. JYOTI KUMARI Daughter of Ram Prasad Das Resident of Village-Banhaiti, P.S-Vibhutipur, District-Samastipur.
2. Sushila Devi Wife of Ram Prasad Das Resident of Village-Banhaiti, P.S-Vibhutipur, District-Samastipur.
3. Shravan Kumar @ Shravan Das @ Shravan Kumar Das Son of Phulchand Das Resident of Village-Surauli, P.S-Vibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-06-2019 This application, for grant of anticipatory bail, arises out of Vibhutipur P.S. Case No. 291/18, disclosing offences under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners, who happens to be wife, mother-in-law and other relative of the deceased is of administering poison to the deceased causing his death.

Submission of learned counsel for the petitioners is that only on the basis of suspicion, they have been made accused in this case and the dead body of the deceased was recovered from a place, which is at a distance of two kilometers from the house of the informant, whereas, the house of the



petitioners is at the distance of ten kilometers.

Learned counsel for the State opposed the prayer for bail and submitted that witnesses have also supported the case of prosecution and the Viscera has been preserved.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners, if so desire, may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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