

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55179 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- CHANDI District- Nalanda

KARI DEVI Wife of Rudal Gope Resident of Village - Birnawan, P.S.- Wena,
District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-09-2019 Heard both sides.

The petitioner apprehends her arrest in Chandi(Wena)
P.S. Case No.98 of 2019 registered under Sections 328, 302 and
34 of the Indian Penal Code.

The widow of the deceased alleged that Subodh @
Golu came to her house and took her husband, Gopal Prasad
with him. At about 7.00 in the night, her husband returned. Her
husband was restless and he felt vomiting tendency. Her
husband disclosed that Subodh @ Golu, Kailu, Jyoti, Kari
Devi(the petitioner), Randhir Kumar(brother-in-law of Golu)
assaulted him and forcibly administered him poison.

The learned counsel for the petitioner submits that
informant did not disclose that Golu took the deceased to his
house. Petitioner is mother of Golu. It is further submitted that



from perusal of post-mortem report, only abrasion was found which cannot be the cause of death. The viscera of the deceased was preserved and sent to F.S.L. It is submitted that there is nothing on record which show the implication of the petitioner in the case but all the family members of Golu have been made accused in the case.

Learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for bail.

It appears from perusal of the F.I.R. itself that the deceased who was feeling restless disclosed before his wife that petitioner and other accused persons assaulted him and forcibly poisoned him. Consequently, the deceased died. The death of deceased appears to be on account of poisoning.

Taking into consideration the fact that deceased himself disclosed the name of the petitioner as one of the person who administered him poison resulting death of the deceased, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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