

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56900 of 2019

Arising Out of PS. Case No.-114 Year-2016 Thana- DIGHALBANK District- Kishanganj

1. KARNWATI DEVI, aged about 62 years, Sex-Female, wife of Late Sharan Lal Harizan, Resident of Village - Dubri, P.S.- Dighal Bank, Distt - Kishanganj.
2. Shila Devi, aged about 31 years, Sex-Female, Wife of Deo Kumar Harizan, Resident of Village - Dubri, P.S.- Dighal Bank, Distt - Kishanganj.
3. Bijay Harizan, aged about 21 years, Sex-Male, Son of Late Sharan Lal Harizan, Resident of Village - Dubri, P.S.- Dighal Bank, Distt - Kishanganj.
4. Satya Narayan Harizan, aged about 45 years, Sex-Male, Son of Shomi Lal Harizan, Resident of Village - Dubri, P.S.- Dighal Bank, Distt - Kishanganj.
5. Fulo Devi, aged about 41 years, Sex-Female, Wife of Satya Narayan Harizan Resident of Village - Dubri, P.S.- Dighal Bank, Distt - Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Dighal-Bank P.S. Case No.114 of 2016 registered under Sections 302/34 of the Indian Penal Code.

The accusation is of administering the poison, on the pretext of administering the medicine, to the daughter of the informant, by her husband and other in-laws, due to which the daughter of the informant died.



Learned counsel for the petitioners submits that, the petitioner no.1, is mother-in-law, petitioner no.2 is married Nanad, petitioner nos.3 and 4 are Dewar and Mausera Bhaisur respectively, whereas petitioner no.5 is Mauseri Gotani of the daughter of the informant. While the allegation against the husband and other in-laws of the daughter of the informant is to administer poison on the pretext of administering the medicine to her but in the viscera report of the daughter of the informant, no Metallic, Alkaloidal, Glycosidal, pesticidal and volatile poison could be detected, which would appear from Annexure-3 to this application. In fact, the daughter of the informant died of illness but with an ulterior motive, after her death, the informant has lodged the present case. Moreover, after investigation, the police submitted the final form against the petitioners and others but differing with the final form, the Judicial Magistrate took the cognizance of the offence against the petitioners and others.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial



Magistrate, Kishanganj, in connection with Dighal-Bank P.S.
Case No.114 of 2016, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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