

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71449 of 2019

Arising Out of PS. Case No.-138 Year-2019 Thana- ISUAPUR District- Saran

1. DULARIYA DEVI @ DULARIYA KUWAR W/o Late Mohan Nutt Resident of Village - Sahwan, P.S.- Isuapur, Distt.- Saran.
2. Suganti Devi W/o Ramesh Nutt Resident of Village - Sahwan, P.S.- Isuapur, Distt.- Saran.
3. Pushpa Devi @ Guriya Devi W/o Mukesh Nutt Resident of Village - Sahwan, P.S.- Isuapur, Distt.- Saran.
4. Mantu Nutt Son of Late Nagina Nutt Resident of Village - Sahwan, P.S.- Isuapur, Distt.- Saran.
5. Mukesh Nutt Son of Mantu Nutt Resident of Village - Sahwan, P.S.- Isuapur, Distt.- Saran.
6. Gopal Nutt Son of Chandrama Nutt Resident of Village - Turki, P.S.- Panapur, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anis Akhtar
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-11-2019 Petitioners seek bail in anticipation of their arrest in connection with Isuapur P.S. Case No. 138 of 2019, registered for the offences punishable under Sections 302, 328 and 34 of the Indian Penal Code.

As per F.I.R. there is allegation that deceased was called by one Pushpa Devi, they went to toddy shop for taking toddy along with other petitioners and it is alleged that they administered poison causing death of the deceased. It is also



alleged that Pushpa Devi has given threatening that if deceased is not under her control, he will not be under control of any other.

Submission of the learned counsel for the petitioners is that the whole allegation does not inspire confidence, moreover, except Pushpa Devi there is no motive against other accused persons.

Heard learned A.P.P. also.

Having heard both sides. So far as petitioner no.3 is concerned, in view of the allegation, I am not inclined to grant privilege of anticipatory bail to her, however, she is directed to surrender before the learned Court below and make prayer for regular bail and Court below will consider the matter on its own merit without being prejudiced by order of this court.

So far as petitioners No. 1, 2, 4, 5 and 6 above named are concerned, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Isuapur P.S. Case No. 138 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners



shall be a local person having sufficient immovable property
within the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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