

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55874 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

SUNITA DEVI W/o Raju Sah Resident of Village- Chawani Muhalla, Ward
No. 4/9, P.S.- Bhabua, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 14-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending her arrest in
connection with Bhabua P.S. Case No. 99 of 2019 (G.R. No.
430/2019) registered under Sections 328 and 302 of the Indian
Penal Code, pending in the court of learned Chief Judicial
Magistrate, Kaimur at Bhabua.

The prosecution case, in short, is that accused person
administered poison to the husband of the informant due to
which he died.



It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The main allegation is against the petitioner of administering poison to the deceased.

Perused the F.S.L. report. The F.S.L. report supports the allegation made in the F.I.R. and indicates that deceased died due to poison.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

The F.S.L. report be returned back to the Director, F.S.L., Patna.

(Sudhir Singh, J)

Narendra/-

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