

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2571 of 2020

Arising Out of PS. Case No.-326 Year-2018 Thana- GAYA KOTWALI District- Gaya

KOMAL KUMARI D/O - Shri Rajesh Kumar Awadhara Resident of Mohalla
- Kirani Ghat, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kotwali P.S. Case No. 326 of 2018 for the offence registered under Sections 341, 323, 328, 406, 497 and 34 of the Indian Penal Code.

The allegation is regarding the petitioner having administered slow poison in the meal of the complainant who happens to be the husband of the petitioner for the purposes of usurping his properties.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and she is having a clean antecedent. It is further submitted that since the petitioner has earlier filed a case under



Section 498A of the Indian Penal Code, the present case has been filed with oblique motive.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties coupled with the fact that the allegation is regarding the petitioner herein, who is the wife of the complainant, having administered slow poison in the meal of the complainant, however, the dose has not resulted in any fatality, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of her arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Kotwali P.S. Case No. 326 of 2018 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner shall join



investigation and cooperate with the Investigating Officer and in case of any default, the investigating officer and the complainant would be free to approach this Court for cancellation of the present privilege of anticipatory bail being granted to the petitioner herein.

(Mohit Kumar Shah, J)

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