

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18646 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- MAHKAR District- Gaya

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KUNTI DEVI @ RINA Wife of Vigan Chaudhari Resident of Village -
Khukhari, P.S.- Mahkar, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-01-2021 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Jai Narain Thakur, learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Mahkar P.S. Case No. 1 of 2020 registered for the offences
punishable under Section 328 and 302/34 of the Indian Penal
Code 1860.

The allegation as per the First Information Report is
that the marriage of the informant was solemnized with the
deceased about 15 years back and she has four children out of
the said wedlock. It has further been alleged that husband of the
informant was having live-in-relation with the petitioner for last
about three years. On 4.1.2020 in the morning, the informant got
information that the petitioner along with other co-accused



persons have killed her husband by administering poison.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to oblique motive. Learned counsel further submits that it is true that the deceased was living with the petitioner and there was live-in-relationship between them. Learned counsel also submits that the deceased was alcoholic and was suffering from tuberculosis and this fact has come in the case diary during course of investigation by the Police. Petitioner is in custody since 5.1.2020.

On the other hand, learned counsel for the State submits that the postmortem of the deceased was done, but the opinion regarding cause of death has been kept reserved awaiting viscera report.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 5.1.2020 and charge sheet has already been submitted as well as there is no apprehension that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/-



(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gaya, in connection with Mahkar P.S. Case No. 1 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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