

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31695 of 2021

Arising Out of PS. Case No.-574 Year-2020 Thana- LAKHISARAI District- Lakhisarai

Guriya Kumari @ Guriya Devi Wife Of Sanjay Kumar R/O Village- Sarmera,
P.S.- Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha
For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 26-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Lakhisarai (Ramgarh Chowk) P.S. Case No. 574 of 2020, registered for the offence under Section 302 / 34 of the Indian Penal Code.

As per the prosecution case, on 10.11.2020, the son of the informant namely Shashi Kumar (deceased) went to *Sasural* of his brother alongwith wife of his brother namely Guriya Devi (petitioner) and on next date i.e. 11.11.2020 at 5 o'clock, the daughter of the informant, who is residing in Delhi, informed the informant that his son Shashi Kumar has consumed poison and was taken to hospital. On getting this information, the informant went there, where he found his son dead. The informant suspects that his brother and his wife (petitioner) have killed his son by giving him poison.



It is submitted on behalf of petitioner that there is no eye-witness to the occurrence and petitioner has been made accused only on suspicion. In fact, the deceased had died due to consuming poison, as there was love-affairs between the deceased and a girl, with whom, the deceased wanted to marry, but the family members of the girl were not ready for this. There is no other material to show complicity of this petitioner in this case. Petitioner is lady and is in custody since 18.11.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail 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, Lakhisarai in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. 574 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on her absence on two consecutive dates without sufficient reason, her bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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