

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35165 of 2020

Arising Out of PS. Case No.-362 Year-2020 Thana- HAJIPUR District- Vaishali

1. Ashok Rai Son of Mahant Rai Resident of Village-Rambhadra (Ramchaura), P.S.-Hajipur Town, District-Vaishali.
2. Parmila Devi Wife of Ashok Rai Resident of Village-Rambhadra (Ramchaura), P.S.-Hajipur Town, District-Vaishali.
3. Rinku Devi @ Rinku Kumar Wife of Late Rahul Kumar Resident of Village-Rambhadra (Ramchaura), P.S.-Hajipur Town, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok- Advocate
For the Informant	:	Mr. Manish Chandra Gandhi- Advocate
For the State	:	Mr. Anuj Kumar Shrivastava- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-07-2021 Heard Mr. Alok Kumar Alok, the learned Advocate for the petitioners, Mr. Manish Chandra Gandhi, the learned Advocate for the informant and Mr. Anuj Kumar Shrivastava, the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Hajipur Town P. S. Case No.362 of 2020, instituted for the offences under Sections 328, 302/ 34 of the Indian Penal Code.

The petitioners are the parents-in-law and wife of the deceased respectively.

It has been alleged in the F.I.R. by the father of the



deceased that the relationship between his son (deceased) and petitioner no.3 was very strained. The deceased had gone to his in-laws' house, but later his dead body was recovered from near the bore-well of one Babu Lal Singh. The informant has therefore suspected that the deceased was done to death by poisoning at the hands of the petitioners.

The learned Advocate for the petitioners has submitted that the accusation is absolutely concocted. The petitioners would get no advantage out of killing the deceased. The petitioner no.3 has got a daughter with the deceased. Even though the relationship between the spouses was disturbed, but that would not be sufficient to raise suspicion that the petitioners have killed the deceased. There is no evidence whatsoever of administering of any poison to the deceased.

The learned Advocate for the petitioners has further submitted that from the post mortem report, it would appear that there is no injury on the person of the deceased. The cause of the death could not be ascertained and the viscera has been sent for forensic examination.

However, the learned counsel for the informant has submitted that prior to his death, the deceased had filed an informatory petition expressing suspicion that he could be



eliminated at the hands of the relatives of his wife.

That is no ground, it has been urged to suspect the hand of the petitioners in killing the deceased.

Considering the afore-stated facts, the petitioners were granted provisional bail by order dated 23.03.2021.

For the reasons afore-stated, the provisional bail of the petitioners is hereby confirmed. The petitioners shall remain on the same bail bonds.

The application stands allowed.

(Ashutosh Kumar, J)

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