

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9758 of 2021

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

Sunita Devi Wife of Mr. Raju Sah resident of Village- Chhawani Mohalla,
Ward No. 9, P.S.- Bhabua, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bhabua P.S. Case No. 99 of 2019, registered for the offence under Sections 328/302 of the Indian Penal Code.

As per the prosecution case, on 01.03.2019 at about 3:00 PM, the husband of the informant was called by her sister-in-law (जेठानी) Sunita Devi (petitioner) through phone, upon which, she alongwith her husband and children went to her house and were sitting in her (petitioner) house. It is further alleged that thereafter, this petitioner offered some sweet drink to her husband, and after drinking the same after some time, her husband developed some stomach pain and started vomiting and thereafter, he (deceased) was brought to hospital, where in



course of treatment, he died. It is alleged that this petitioner had administered poison to her husband, as a result of which, he died.

It is submitted on behalf of petitioner that there is no eye-witness to the occurrence and only on suspicion, this petitioner has been made accused in this case. The investigating officer has not found any poisonous material inside the house of the petitioner. It is further submitted that the informant is the second wife of the deceased. Petitioner is in custody since 10.11.2020.

However, learned A.P.P. for the State has vehemently opposed the bail petition and submitted that there is specific allegation against this petitioner of administering poison to deceased and autopsy report also reveals that deceased died due to poison.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is rejected.

(Prabhat Kumar Singh, J.)

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