

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8150 of 2022

Arising Out of PS. Case No.-59 Year-2021 Thana- AMAUR District- Purnia

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1. NISHA DEVI W/o Shravan Kumar Resident of Village- Khemela, P.s.- Amour, District- Purnea.
 2. Chunni Devi @ Bunni Devi W/o Ram Lal Mahaldar Resident of Village- Khemela, P.s.- Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar Sharma

For the Opposite Party/s : Mr. Arvind Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 302 and 328 of the Indian Penal Code.

As per prosecution case, the informant was informed that his sister Babli Devi is suffering from diarrhoea and on such information he proceeded and on the way he received information that his sister has been brought at Sadar Hospital, Purnea for treatment and thereafter she died. It is further alleged that the informant's sister (deceased) was administered poison by the petitioners and other accused persons.



It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits referring to para-8 of the case diary wherein the daughter of the deceased, namely, Komal Kumari aged about 14 years, has stated that an altercation took place between the deceased and Co-accused, Rakesh Mahaldar and her mother went away from her house at about 4 P.M. and at about 7 P.M. on the same day, the condition of her mother deteriorated and she was admitted in hospital but thereafter she died. It is also submitted that land dispute is also existing between the parties. He further submits that no evidence has been found showing that poison like substance has been administered to the deceased.

Learned APP appearing for the State has opposed the prayer for anticipatory bail and submits that postmortem report shows that cause of the death of the deceased was not ascertained and viscera report was kept reserved.

In the facts and circumstances of the case, let the petitioners, above named in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Amour P.S. Case No. 59 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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