

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17476 of 2022**

Arising Out of PS. Case No.-116 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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NUTAN @ NISHU SINGH Wife of Bajesh @ Om Kumar Resident of
Mohalla - Deep Nagar, Kalika Ram Gola Lane, P.S.- Jogsar, District -
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Sudha Ambastha, Advocate

For the Opposite Party/s : Ms.Madhuri Lata, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 19-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 307 and 328 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 15.01.2022, is a person with clean
antecedent, charge-sheet has been submitted in the case and is a
women.

Learned counsel for the petitioner submits that the
informant alleges that his daughter prepared porridge for him,
further his wife (petitioner) laced the said porridge with white
powder which was disclosed by his daughter to him, as she had



seen the petitioner mixing the white powder. It is further alleged that the informant refused to eat the porridge on which the petitioner packed the same and kept it in the garbage, further it is alleged that the petitioner disputes with him for property and has even instituted case under the Domestic Violence Act and wants to perform second marriage and thus to remove the informant from her way, the said act was committed. It is also alleged that the said porridge was produced before the police.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case in order to coerce her into submission so that she refrains from pursuing the cases which she had filed being Mahila P.S. Case No. 80 of 2017 in which police after investigation has submitted charge-sheet and also Complaint Case No. 1281 of 2018 which is pending adjudication. Learned counsel further submits that it absolutely does not stand to reason that the petitioner would have preserved the porridge after coming to know that the informant is aware that the same has been laced with white powder and thus create evidence against herself, this in itself demonstrates that the informant under a well thought plan implicated her by robing the petitioner with false allegation.

Learned A.P.P. for the State opposes the prayer for



bail of the petitioner.

Considering the fact that the petitioner is in custody since 15.01.2022, is a person with clean antecedent, charge-sheet has been submitted in the case, is a woman and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kotwali (Jogsar) P.S. Case No. 116 of 2018.

(Satyavrat Verma, J)

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