

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39501 of 2021**

Arising Out of PS. Case No.-273 Year-2020 Thana- NAVINAGAR District- Aurangabad

LALMUNI DEVI W/O LATE ARJUN YADAV R/O VILLAGE-URDANA,
P.S. BADEM O.P NABINAGAR, DISTRICT-AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 27-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 328/307/34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with co-accused, Deepk Kumar, administered poison to son of informant as a result of which he became critically ill. It is further alleged that occurrence was seen by one Nikhil Kumar and during the course of treatment the victim also took the name of this petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the



case due to land dispute. It is further submitted that petitioner has been made accused only on the basis of disclosure made by Nikhil Kumar, cousin of the victim. Petitioner is a widow lady, she is in custody since 24.12.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that in paragraph 36 of the case diary the doctor, who examined the victim, has supported the prosecution case. This petitioner in paragraph 16 of case diary accepted the allegation. From perusal of FIR and case diary it is enough to substantiate that this petitioner, who is non else than aunt of victim, was instrumental in administering poison to victim.

Regard being had to the facts and circumstances of the case and nature of accusation, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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