

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44084 of 2021**

Arising Out of PS. Case No.-228 Year-2016 Thana- RANIGANJ District- Araria

Manju Devi W/o Dilendra Kumar Dilendar Deo Resident of Village - Kupari,
P.S.- Raniganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 20-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Raniganj
P.S. Case No. 228 of 2016 registered for the offence under
Sections 328 and 302 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.06.2021.

The allegation against the petitioner is to cause the
death of the deceased after giving intoxicated herbs.

Learned counsel appearing on behalf of the petitioner
submitted that the petitioner is a lady and have no criminal
antecedent. It has further been submitted that due to land



dispute, the petitioner has been falsely implicated in the present case. It has further been submitted that the cause of death, as per post mortem report is suggestive of the fact that the same is due to Celphos and not due to any herbs. It has also been submitted that the taking of Celphos is only suggesting the act of suicide by the deceased. While concluding the argument, it has further been submitted that nothing is appearing from the bare perusal of the F.I.R., which may suggest the ingredients of murder as alleged.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the cause of death is due to Celphos.

Considering the facts and circumstances as mentioned above, as the post mortem report creates a doubt as regard to allegation, which caused the death of the deceased coupled with the fact that the petitioner is a lady, let the petitioner, above named, is directed to be released on bail in connection with Raniganj P.S. Case No. 228 of 2016 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Araria, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Dilendra Kumar Deo, who is the husband of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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