

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3632 of 2021

Arising Out of PS. Case No.-31 Year-2019 Thana- PAKARIBARAW District- Nawada

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BIMLA DEVI D/o Ramjee Chauhan, Wife of Baliram Chauhan Resident of Village-Netna, P.S.-Roh, District-Nawada. At present wife of Baliram Chauhan, resident of Village-Amarpur Beldariya, P.S.-Pakri Barawan, District-Nawada.

... .. Petitioner

Versus

The State of Bihar .

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

10 17-10-2022 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s) as pointed out by the office within a period of four weeks.

The petitioner is apprehending her arrest in connection with Pakri Barawan P.S. Case No. 31 of 2019 registered for the offence under Section-302, 328/34 of the Indian Penal Code.

Allegation against the petitioner is of giving Thimate poison mixing in Chura as a result of which, Bhagina of the informant died.

It is submitted on behalf of the petitioner that she has got no criminal antecedent. There is no allegation of tampering



of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It has further been submitted on behalf of the petitioner that it is a case of suicide and the deceased is alleged to have consumed Thimate. Hence an offence under Section-306 of the Indian Penal Code is attracted against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the FIR. She happens to be step mother of the deceased and for ulterior motive, the deceased was given poison. The postmortem report also supports the allegation that the deceased is said to have been died due to poisoning.

Considering the nature of accusation, the present anticipatory bail application of the petitioner is rejected.

However, if the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudiced by this order.

Let the F.S.L. report be returned to the office of Director, Forensic Science Laboratory, Patna, Bihar.

(Sudhir Singh, J)

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