

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70767 of 2021**

Arising Out of PS. Case No.-604 Year-2019 Thana- MAHUA District- Vaishali

1. Parwati Devi W/O Satya Narayan Rai Resident Of Village - Rasulpur Mobarak @ Chandan Shahpur, P.S.- Mahua, Distt.- Vaishali.
2. Vijay Rai @ Vijay Kumar Son Of Satya Narayan Rai Resident Of Village - Rasulpur Mobarak @ Chandan Shahpur, P.S.- Mahua, Distt.- Vaishali.
3. Ajay Rai @ Ajay Kumar Rai Son Of Satya Narayan Rai Resident Of Village - Rasulpur Mobarak @ Chandan Shahpur, P.S.- Mahua, Distt.- Vaishali.
4. Mina Rai W/O Ajay Rai @ Ajay Kumar Rai Resident Of Village - Rasulpur Mobarak @ Chandan Shahpur, P.S.- Mahua, Distt.- Vaishali.
5. Kiran Devi W/O Vijay Rai @ Vijay Kumar Resident Of Village - Rasulpur Mobarak @ Chandan Shahpur, P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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

3 02-08-2022 Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for offence punishable under sections 302,328/34 of the Indian Penal Code.

Informant alleged that his cousin (Indrajit) came from his Sasural and told him that these petitioners, who happen to be his in-laws, have administered him poison and so would not survive anymore. Thereafter, informant took him to the hospital but on way he died.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. Petitioner no.1 happens to be mother-in-law of the deceased. As a matter



of fact, on account of partition of family property, wife of Indrajit was having some differences with the informant and other family members due to which she was killed by the informant leading to lodging of Complaint case no. 2847/2010 against the informant and others. However, Indrajit was not made accused in the complaint. It is further submitted that in the instant case, informant side has poisoned Indrajit because of partition dispute and has falsely implicated his in-laws (petitioners). Parties have compromised the matter and have filed compromise petition in this regard (Annexure 3).

Learned counsel appearing for the State opposes the prayer for bail. He submits that as per the FIR, deceased before his death has made specific allegation against these petitioners that they administered him poison.

In view of the nature of allegation, prayer for bail of the petitioners is refused with direction to surrender and seek regular bail which would be considered and disposed of on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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