

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15111 of 2023

Arising Out of PS. Case No.-443 Year-2022 Thana- SASARAM NAGAR District- Rohtas

KALAWATI DEVI W/O RAJENDRA PRASAD SINGH R/o Mohalla- Takia
Ward-2, P.S.- Sasaram (T), District- Rohtas. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. R.S. Sahay, Advocate
		Mr. Chandra Mohan Jha, Advocate
For the Informant	:	Mr. Randhir Kumar No.1, Advocate
For the State	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-08-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State assisted by learned counsel for the

informant.

2. The petitioner apprehends her arrest in a case
registered for the offences punishable under Sections 328 and
302/34 of the Indian Penal Code.

3. The petitioner in association of other co-accused
is said to have beaten the victim and in the stage of
unconsciousness administered poison due to which she died.

4. It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. She has
been falsely implicated in this case. As a matter of fact, the
petitioner is the mother-in-law of the deceased and was on her
duty as Anaganbari Sevika on the date of occurrence and after
getting information of this incident and it was she who with the



help of other shifted immediately her to the hospital. This shows her innocence otherwise she worked and not have taken the risk either to be present in the hospital or to inform the family of the deceased going there personally. It is further submitted that the marriage of the deceased was solemnized 17 years back and was blessed with three children. In the long span of time, there was no complain ever anywhere either in the society or in the court/police about any maltreatment with the deceased by any of the accused persons, which clearly indicates that the matter is otherwise. No specific overt act has attributed against the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as no specific overt act has been attributed against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Sasaram (T) P.S. Case No. 443 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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