

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20372 of 2023

Arising Out of PS. Case No.-846 Year-2021 Thana- PHULWARISHARIF District- Patna

Babli Kumari W/O Shailesh Kumar, D/O Shudhir Kumar R/O Village-
Kurkuri, P.S- Phulwari Sharif, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr.Advocate
	:	Mr.Anuj Dilbar Krishna, Advocate
For the Opposite Party/s	:	Mr.Yogendra Kumar,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-07-2023 Heard Mr. Yogesh Chandra Verma, learned senior
counsel appearing for the petitioner and the learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
27.07.2022 in connection with Phulwari Sharif P.S. Case No.
846 of 2021, F.I.R. dated 05.10.2021 registered for the
offence punishable under Sections 302/304/341/306 of IPC.

3. Allegation against the petitioner is of killing her
two minor sons by poisoning them.

4. Learned senior counsel appearing for the
petitioner submits that the petitioner has clean antecedent and
she has falsely been implicated in the present case. Initially
the petitioner was informant of the present case and during
investigation she has been made accused in the present case



merely on the basis of suspicion. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that it has come during investigation that the petitioner has given poison to her children and the petitioner has also consumed poison.

5. Vide order dated 12.07.2023, a report was called for with regard to the present status of the trial. Report of the learned Trial Court dated 19.07.2023 reveals that the charge has been framed in this case on 31.03.2023 and till date only one prosecution witness has been examined.

6. Learned senior counsel for the petitioner submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 27.07.2022.

7. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-XXI, Patna in connection with Phulwari Sharif P.S. Case No. 846 of



2021, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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