

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29469 of 2022

Arising Out of PS. Case No.-376 Year-2021 Thana- NAUGACHIA District- Bhagalpur

Ranjan @ Ranjana Devi @ Ranjan Devi, wife of Late Ranjit Poddar, R/O
Village and P.O.- Tetari, P.S.- Naugachhiya, District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subhash Kumar Jha
For the State	:	Mr. Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-02-2023 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 328, 307, 379, 201, 34
of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and is in custody since
31.10.2021 and is a woman and the informant alleges that on
28.10.2021, his younger brother (deceased) along with his
mother had gone to Tetri and did not return.

Accordingly, he along with his uncle started searching
them and in that course, went to the house of one of his
relatives, who stated that he saw his mother and brother in the
house of the petitioner. It is next alleged that informant with the



help of police managed to get the door of the house of the petitioner opened where he found his mother in an unconscious condition.

It is next alleged that police brought the accused persons including the petitioner to the police station and in the morning, they received an information about a dead body at village- Pakra. Accordingly, they reached the place of occurrence and found the dead body of his brother. It is further alleged that informant's mother disclosed to the informant that petitioner had served food laced with poison and the accused persons had strangulated his brother to death.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that though in the F.I.R., it is alleged that the mother of the informant disclosed to him that poisonous food was served by the petitioner along with other accused persons, but then, from the F.I.R., it also manifests that the mother was found in an unconscious state, as such, it does not appear probable that the mother would have disclosed about the occurrence to the informant. It is also submitted that the occurrence is dated 28.10.2021 and the F.I.R. was instituted on 29.10.2021 and the statement of the mother of the informant



was recorded on 05.11.2021.

The learned counsel thus submits that the petitioner has been implicated by way of after thought. It is also submitted that from perusal of the statement of the mother of the informant, it would manifest that she has stated that when she gained consciousness, she found herself in a hospital, which amply demonstrates that she was not in a position to make any disclosure to the informant on the date of occurrence. The learned counsel submits that since there is land dispute between the parties, as such, the petitioner has been falsely implicated.

It is further submitted that during the course of investigation, nothing has come to remotely connect the petitioner with the offence except the statement of the mother of the informant, which does not appear probable. It is also submitted that the mother of the informant had never accompanied the deceased and just to implicate the petitioner, a story was cooked up.

Learned A.P.P. opposes the bail application.

Considering the submission made by the learned counsel for the petitioner and the fact that petitioner is a woman, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Naugachiya P. S. Case No.376 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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