

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40467 of 2023**

Arising Out of PS. Case No.-104 Year-2022 Thana- BATH District- Bhagalpur

1. SONI KUMARI @ SONI DEVI Wife of Karelal Yadav Resident of Village - Dindayarpur, P.S.- Bath, District - Bhagalpur.
2. Domi Yadav Son of Bhujangi Yadav Resident of Village - Dindayarpur, P.S.- Bath, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ram Sevak Choudhary, Advocate  
For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      21-07-2023      Heard the parties.

The petitioners are in custody in connection with Bath P.S. Case No. 104 of 2022 for the offence under Sections 304(B), 328/34 of the Indian Penal Code lodged on 07.12.2022 by the informant, Veena Devi.

As per the prosecution story, the allegation is of poisoning of the wife of Mukesh Yadav. The petitioner no. 1 is the sister-in-law of the deceased while the petitioner no. 2 is the father-in-law. Accordingly, the F.I.R.

Learned counsel for the petitioners submit that they have no role to play in the alleged poisoning and have suffered by being in custody since 08.12.2022 (as stated in paragraph 18



of the petition).

Learned APP opposes the prayer stating that there is death of the lady.

Considering the fact that the petitioners are sister-in-law and father-in-law of the deceased and have remained in custody since 08.12.2022 and ultimately will have to face the trial, this Court is inclined to extend them the privilege of bail with conditions.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M.F.C., Bhagalpur, in connection with Bath P.S. Case No. 104 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any  
criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is  
allowed.

**(Rajiv Roy, J)**

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