

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50762 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- BARHAT District- Jamui

Shambhu Yadav S/O Saudagar Yadav R/O Village- Jamua, P.S- Barhat, Distt.-
Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 17-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Barhat P.S. Case No. 53 of 2023 dated 16.03.2023 registered for the offences punishable u/ss 302, 328 and 201 read with section 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner in connivance with her wife Sindhu Devi committed murder of the six months old daughter of the informant by administering poison to her.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.



The daughter of the informant died due to viral cough. Learned counsel has further submitted that as per FSL report no poison was found in viscera of the deceased. The informant is the second wife of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 24.07.2023 passed in Cr. Misc. No. 33337 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Jamui in connection with Barhat P.S. Case No. 53 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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