

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51220 of 2022

Arising Out of PS. Case No.-58 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. Sangeeta Devi Wife of Shambhu Das
2. Khusbhu Kumari D/o Rama Shankar Das
3. Bipin Kumar @ Bipin Das Son of Ram Narayan Das, All 1 to 3 are Resident
of village Mushari, P.S- Khodawandpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection
with Khodawanpur P.S. Case No.58 of 2019 instituted under
Sections 328,302,379/34 of the Indian Penal Code.

As per the FIR, the informant alleged that his son had
gone to his in-laws house where his condition deteriorated and
ultimately he died. He had strong suspicion that the family
members of his daughter-in-law made him consume poison.

Learned counsel for the petitioners submit that while
the petitioner no.1 is the ‘Sarhaj’ (sister-in-law) of the deceased,



the petitioner no.2 is 'Sali' (sister-in-law) and so far as the petitioner no.3 is concerned, he is friend of the deceased's brother-in-law. The police had submitted final form in their favour but subsequently cognizance has been taken against them, necessitating this anticipatory bail. The last submission is that none of them are having criminal antecedent.

Learned APP on the other hand submit that in view of the fact that the deceased breath his last in the house of inlaws, there is suspicion on the side of the informant of having been poisoned.

Taking into account the fact that the petitioner no.1 and 2 are ladies and distantly related to the deceased while the petitioner no.3 is the friend of the deceased brother-in-law, police had earlier submitted final form against them and now cognizance has been taken and ultimately they will be facing the trial, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Khodawanpur P.S. Case No.58 of 2019 to the satisfaction of



learned Sub-Divisional Judicial Magistrate, Manjhaul
(Begusarai), subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Prakash Narayan /-

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