

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57243 of 2022**

Arising Out of PS. Case No.-232 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

DEVANTI KUER Wife of Late Dhanlal Shah Resident of Village- Sonpura,  
Police Station- Udwant Nagar in the district of Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      19-06-2023                      Heard learned counsel for the petitioner and learned A.P.P.  
for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Sections 302 and 328/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is a woman and is a person with clean antecedent.

The informant alleges that on 02.06.2022 his son went to the Kirana Shop of Sudama Sah where he was given some sweets to eat. It is further alleged that when he came back he started vomiting on account of which he was admitted in a hospital where he died during the course of treatment.

Learned counsel for the petitioner submits that petitioner being mother of Sudama Sah came to be implicated when there is no specific allegation against her in the FIR. It is further submitted that many children had purchased the same sweets which the son of the



informant had purchased but they never developed any complication. It is next submitted that Sudama Sah was arrested and he moved before this Court praying for regular bail but the same was rejected by order dated 01.12.2022 in Cr. Misc. No. 50812 of 2022 with a liberty that he shall renew his prayer for bail after framing of charge. Learned counsel also submits that charges against Sudama Sah was framed and thereafter he moved before the learned District Court itself and he was enlarged on regular bail in terms of the order dated 01.12.2022 in Cr. Misc. No. 50812 of 2022.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Udwant Nagar P.S. Case No. 232 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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