

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65298 of 2022

Arising Out of PS. Case No.-357 Year-2020 Thana- BISFI District- Madhubani

Chanda Devi, Wife of Shiv Narayan Sah, R/o. Vill.- Sadullahpur Pokhrauni,
P.S.- Bisfi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the Informant	:	Mr. Ram Pravesh Nath Tiwari, Advocate
For the Opposite Party/s	:	Mr. Ram Bilash Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 27-04-2023 1. Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Bisfi P.S. Case No. 357 of 2020 corresponding to G.R. No. 979 of 2020 dated 13.10.2020 registered for the offence punishable under Section 302/34 of the Indian Penal Code.
3. The main submissions advanced by learned counsel for the petitioner are that there is no direct or indirect evidence against the petitioner to support the allegations levelled in the FIR, in fact the deceased himself mixed poison in tea and himself consumed the tea and gave the same to the petitioner and her three children, after that all of them including the deceased became unwell and they were treated at D.M.C.H. and



during treatment the deceased Santosh Sah died and petitioner's one son aged about 10 years also died, in fact there was a tense relation between the petitioner and the informant who happens to be gotani (wife of informant's husband's brother) and moreover the petitioner has been languishing in jail since 27.10.2020 and she is a lady.

4. Learned counsel for the informant has vehemently opposed the bail prayer and submitted that the alleged occurrence took place on account of illicit relationship between this petitioner and deceased and the trial of the petitioner has started and one prosecution witness has been examined so at this stage it will not be proper to enlarge the petitioner on bail.

5. Considering the facts and circumstances of the case and mainly the facts that there is no direct evidence against the petitioner to connect her to the alleged occurrence and the petitioner's own son also died of poisonous material and petitioner is a woman and against her the trial has started and the same is at initial stage and also taking into account petitioner's custody period, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Bisfi P.S. Case No. 357 of 2020 on furnishing bail bond of



Rs.10,000/-(Ten Thousand) with two sureties of the like amount
each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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