

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21191 of 2024

Arising Out of PS. Case No.-357 Year-2023 Thana- VISHNUPAD District- Gaya

Rinki Devi WIFE OF LATE JAIRAM YADAV RESIDENT OF VILLAGE-
MARDANPUR, BRAHAMYONI PAHAD, PS- VISHNUPAD, PO-
CHANDCHAURA, DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 01-07-2024 Heard learned counsel for the petitioner as well as

Mr. Shailendra Kumar, learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Vishnupad P.S. Case No. 357 of 2023, registered for the offences punishable under Sections 341, 342, 328, 302 read with Section 34 of the IPC.

3. As per allegation, on 18.12.2023, the petitioner came to the house of the informant and allured away his wife and then after confining her in their house brutally assaulted her. When the informant went on the house of the petitioner on search of his wife, he found that the petitioner and co-accused persons were thrashing his wife. On 19.12.2023, in the morning the informant was informed that the petitioner had administered



something to the deceased and during course of treatment she died.

4. Learned counsel for the petitioner has submitted that she is innocent and has falsely been implicated. His further submission is that though there is allegation of committing assault to the deceased but post-mortem report does not suggest any kind of external injury rather it shows that it is a case of poisoning. Learned counsel has further submitted that during investigation it has been detected that husband of the deceased (informant) had taken money on credit from some persons and he was not returning and feeling mentally pressurized his wife, the deceased had committed suicide. The investigating authorities have submitted chargesheet under Section 306 of IPC which shows that it is a case of suicide.

5. On the other hand, learned APP, Shri Shailendra Kumar has opposed the prayer for bail by submitting that in the FIR it has specifically been mentioned that the accused persons including the petitioner forcibly administered poisonous substance to the deceased but he has fairly admitted that in paragraph no. 49 and 50 of the case diary the witnesses have stated that the husband of the deceased had taken money from different persons.



6. Considering the above-mentioned facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court of CJM, Gaya in connection with Vishnupad P.S. Case No. 357 of 2023, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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