

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52408 of 2023

Arising Out of PS. Case No.-34 Year-2023 Thana- BALIGAON District- Vaishali

Narmata Devi @ Namrata Kumari Wife Of Ashok Sah @ Ashok Kumar Sah
R/O-Gobindpur Bela, P.S.-Baligaon, Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-01-2024 The Viscera Report which was kept in a sealed bag is
opened in the open Court.

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

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 302 of the
Indian Penal Code.

4. As per the F.I.R., the allegation against the petitioner is
that she (petitioner is a step mother) has killed the deceased.

5. It is submitted by learned counsel for the petitioner
that petitioner is innocent and has committed no offence. No
such occurrence as alleged ever took place. She has been
falsely implicated in the present case because she is step
mother of the deceased. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
He further submits that the postmortem report and viscera



report have not supported the prosecution case. He next submitted that deceased was suffering from high fever that caused his death. A medical report of the deceased is annexed as annexure-2 in the bail application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposed the prayer for bail.

7. Having regard to the facts and circumstances of the case, considering the fact that the postmortem report and viscera report have not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Baligaon P.S. Case No.34 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. Office is directed to return the Viscera Report to the concerned department.

(Anjani Kumar Sharan, J)

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