

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73679 of 2023

Arising Out of PS. Case No.-252 Year-2023 Thana- BIDUPUR District- Vaishali

Meena Devi @ Min Devi, (aged about 60 years, Female), Wife of
Chandeshwar Mahto @ Chandra Shekhar Mahto, R/O Village- Mustafapur,
P.S.- Bidupur, District- Vaishali at Hajipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Nawal Kishore Singh and Kamlesh Kumar,
Advocates

For the Opposite Party : Mr. Mohammad Sufyan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 30-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. A show cause filed on behalf of the Superintendent
of Police, Vaishali at Hajipur, is hereby accepted.

3. The petitioner seeks regular bail in Sessions Trial
No. 496 of 2023 arising out of Bidupur P.S. Case No. 252 of
2023 dated 25.04.2023 registered for the offences punishable
under Sections 328 and 302 of the I.P.C.

4. As per the prosecution case, the informant got
information that her grand-daughter was murdered by her
maternal grand mother (petitioner) after administering her
poison. The informant's grand-daughter used to stay at her



maternal grand-mother's house since the childhood.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. The petitioner has no enmity with the deceased Putul Kumari rather the petitioner is own maternal grand mother (Nani) of the deceased and also the deceased was residing with the petitioner since very childhood after death of her mother, Sudha Devi. The petitioner herself was ill at the time of death of the deceased and she could not be able to know her sad and sudden death. It is further submitted that it has been mentioned in paragraph no. 30 of the case diary that during the course of investigation, it has come that the deceased used to reside with the petitioner at her residence after death of her mother and the petitioner has taken loan from several villagers and on demand of loan, she used to quarrel with them. She has also taken group loan on interest and on demand she used to abuse. The petitioner has no other source of income for her livelihood. It has further been mentioned that due to financial crisis, the petitioner herself consumed poison and also administered poison to her maternal grand daughter (deceased) as a result of which she died. Thereafter, the petitioner was brought at Sadar Hospital, Hajipur for her



treatment. The doctor in the postmortem report has not found any reason of death of the deceased, hence, it appears to be doubtful of consuming poison by the deceased herself or other. The petitioner is an old lady. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. She is in custody in this case since 11.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the petitioner being an old lady, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Vaishali at Hajipur in connection with Sessions Trial No. 496 of 2023, arising out of Bidupur P.S. Case No. 252 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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