

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20555 of 2025

Arising Out of PS. Case No.-309 Year-2016 Thana- DARIYAPUR District- Saran

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1. Chhathi Devi W/O Late Banarsi Singh R/O Village- Mujauna, P.S- Dariyapur, Distt.- Siwan.
 2. Manju Devi D/O Late Banarsi Singh, W/O Devnedra Singh R/O Village- Mujauna, P.S- Dariyapur, Distt.- Saran. At Present Resident of Village- Bhagwanpur, P.S- Derni, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mili Kumari, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 23-04-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Dariyapur P.S. Case No. 309 of 2016, registered for the offences punishable under Sections 302/328/34 of the Indian Penal Code.

3. The allegation against the petitioners is to commit the murder of sister of informant alongwith other co-accused persons/family members, where suspicion was raised that death was caused after administering poison.

4. It is submitted by learned counsel appearing for petitioners that petitioner no. 1, who is 83 years old lady is



mother-in-law of the deceased, where petitioner no. 2 is sisters-in-law. It is pointed out that thrust of allegation appears available against the husband of the deceased, who after facing the trial acquitted vide judgment dated 31st October, 2017 as passed by the Additional District and Sessions Judge-11, Saran at Chhapra. It is further submitted by learned counsel that from the perusal of autopsy report of the deceased/sister of informant, it can be gathered safely that she was not subjected to physical assault as no external injury was reported therefrom. In this context, it is further submitted that cause of death could not ascertain during autopsy. While concluding the argument, it is submitted that both petitioners are lady of clean antecedents and continuing investigation for long eight years in itself traumatizing to petitioners. It is further pointed out that the delay in investigation appears unexplained despite of availability of petitioners in their house.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of nature of accusation, where thrust of allegation appears available against husband of the deceased, coupled with the fact that autopsy report did not speak about any external injury, where cause of death also appears unascertained,



accordingly, both above named petitioners, who are lady of clean antecedent, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saran, Chapra/concerned Court, where the case is pending in connection with Dariyapur P.S. Case No. 309 of 2016, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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