

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.448 of 2025

Arising Out of PS. Case No.-274 Year-2022 Thana- WARISNAGAR District- Samastipur

1. Guriya Devi W/o Gautam Sah, D/O Raj Kumar Sah Resident of Village- Munger Mohalla Kaira Maidan Dhobi Tola, P.S.- Kasim Bazar, District- Munger. Present Add.- R/O Nagarbasti Ward no. 8, P.S.- Warisnagar, Dist.- Samastipur. Present Address- D/o Raj Kumar Sah, R/o Village- Nagarbasti, Ward No.- 8, P.S.- Warisnagar, District- Samastipur
2. Raj Kumar Sah S/O Late Ramchandra Sah R/o Village- Nagarbasti, Ward No.- 8, P.S.- Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-02-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners seek bail in a case registered for the offences punishable under Sections 302, 328, 379 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 1 is in custody since 06.05.2023 and petitioner no. 2 is in custody since 12.05.2023. It is further submitted that petitioner no. 1 is wife of the deceased and petitioner no. 2 is father-in-law of the deceased. It is next submitted that Priyanka Kumari, the sister of petitioner no. 1 had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 65046 of 2024 and the same was allowed by an



order dated 17.10.2024, thereafter Manish Kumar (brother of Guriya Devi) and Babita Devi approached this Court seeking anticipatory bail by filing Cr. Misc. No. 74955 of 2024 and the same was allowed by an order dated 31.01.2025. It is submitted that the informant alleges that his brother Gautam Sah was married to Guriya Devi about 8 years back but his relation with his in-laws family was not cordial. Further, on 23.08.2022, Gautam Sah had gone to his in-laws' place to celebrate *Chhathi* of his new born child where the petitioners along with Manish Kumar, Babita Devi, Sujit Kumar and Priyanka Kumari were present. It is next alleged that on 25.08.2022, in the night, the accused persons tried to administer poison but the brother of the informant objected thereafter he was assaulted and was forcefully administered poison on account of which he died on 26.08.2022. Thereafter, on coming to know about the occurrence, the informant reached the place of occurrence when all the accused had fled and the informant with the help of the police took the dead body for postmortem.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that informant is not an eyewitness to the occurrence. It is next submitted that marriage of the deceased with petitioner no. 1 was performed eight years back and in these eight years no case ever came to be instituted either



by the informant or by the deceased against petitioner no. 1 and her family members. It is also submitted that deceased had come to celebrate *Chhathi* of his new born child and in merry-making he drank liquor and the same turned out to be spurious on account of which he died. It is further submitted that why a wife would kill her own husband and thus will become a widow.

5. Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above named, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Session Trial No. 130 of 2024 arising out of Warisnagar P.S. Case No. 274 of 2022.

(Satyavrat Verma, J)

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