

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90005 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- WARISNAGAR District- Samastipur

Sarita Kumari @ Sarita Devi Wife of Late Vijay Kumar Ram R/o Village -
Dhurlakh, P.S.- Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brahmaputra Singh Ishu, Advocate Ms.Poonam Kumari, Advocate
For the Opposite Party/s	:	Mr.Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sessions Trial No. 681 of 2025, arising out of Warisnagar P.S. Case No. 122 of 2025 registered for the alleged offences under Sections 103(1), 3(5) of B.N.S.

03. As per prosecution case, the informant alleged that his brother went to his matrimonial home where his sister-in-law has been staying and subsequently, he received information from the sister-in-law (petitioner herein) about death of his brother. He showed his suspicion that the petitioner and her family members murdered his brother.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no material to show that the petitioner or her family members killed the husband of the petitioner. No occurrence in the manner as alleged has ever taken place. The informant in order to grab the share of his deceased brother has lodged this false case implicating the petitioner, who is having two infant children. Learned counsel further submits that in the postmortem report no opinion regarding the cause of death has been given and the viscera has been preserved. Thereafter, viscera report has been received wherein it has been mentioned that Ethyl alcohol and Methyl alcohol were detected in the contents of plastic jar. It has also been mentioned that the Ethyl alcohol is the chief intoxicating ingredient of all alcoholic beverages while, Methyl alcohol is poisonous in nature and the simple inference is that the husband of the petitioner consumed alcoholic beverages containing poison and died due to this consumption. The petitioner is in custody since 27.05.2025 and she bears clean antecedent. Charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner.



06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is a lady and further considering the submission of charge sheet, her clean antecedent and period of custody and also considering the viscera report of the deceased showing the death might have been caused due to consumption of poisonous liquor, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II, Samastipur/concerned Court in connection with Sessions Trial No. 681 of 2025, arising out of Warisnagar P.S. Case No. 122 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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