

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91452 of 2025

Arising Out of PS. Case No.-437 Year-2018 Thana- GAURICHAK District- Patna

Nagina Devi W/o Late Basant Bind @ Basant Jamadar, Resident of Village -
Abdullahchak, P.S - Gaurichak, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Chandra Shekhar Sharma, Advocate
For the State	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Gaurichak P.S. Case No. 437 of 2018 dated 23.11.2018, registered for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, daughter of the informant was married with the son of the petitioner and she died within a year of her marriage. Informant showed his suspicion that the petitioner and other co-accused persons killed his daughter.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the present case. Petitioner's son performed love marriage with the daughter of the informant and for this, informant filed Gaurichak P.S. Case No. 145 of 2017 under Sections 363, 365, 366 and 366A



of the Indian Penal Code. In the said case, when the statement of victim girl was recorded under Section 164 of the Cr.P.C., she expressed her desire to live in her matrimonial home with her husband. In the *post-mortem* report, no opinion was given regarding the cause of death and viscera was preserved. Now, viscera report has come and it was found that daughter of informant might have died consuming Aluminium Phosphide. It has come in the evidence of witnesses examined during investigation that the husband and the wife (deceased) lived happily and they were also blessed with a child. In the meantime, the health of the daughter of the informant deteriorated and cancer was detected and during the course of such treatment she died at N.M.C.H. It was the petitioner who produced the death certificate of her daughter-in-law. The son of the petitioner has been granted bail by learned JJB, Patna on 10.12.2018. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 11.09.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is stated to be the mother-in-law of the deceased and



further considering the vague and remote nature of allegation and also considering her period of custody, clean antecedent and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City / concerned Court, in connection with **Gaurichak P.S. Case No. 437 of 2018**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial Court.

(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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