

ORDER

Rajni Kumari @ Rajni Devi, 26 years, W/o Amit Kumar.....Petitioner.
Vs

State of Bihar.....O.P.

ORDER

29-07-2026 An application for grant of anticipatory bail filed on behalf of above named accused petitioner namely **Rajni Kumari @ Rajni Devi**, who is apprehending her arrest in connection with **Kahalgaoon P.S. Case No. 171/2026** registered **u/Ss 103(1), 123, 76, 351(2), 127(2), 352, 3(5) of the B.N.S.**, pending in the learned Court of **C.J.M.**, Bhagalpur, is put up and moved.

Heard Mr. Udeswar Mandal, learned counsel for the petitioner as well as Mr. A.K. Yadav, learned Addl. P.P. for the State.

The prosecution story, in short, is that informant's married son Amit Kumar(deceased) was working in Indian Army and had come to his home to avail the leave from 13-04-2026 to 09-05-2026. It is alleged that on 30-04-2026 he had a quarrel with his wife Rajni Kumari @ Rajni Devi (accused petitioner) whereafter accused petitioner mixed poison in the cold drink and administered the same to her husband Amit Kumar. Thereafter, she locked him in the room and called her parents as well as her brother. It is stated that when parents and brother of accused petitioner came at informant's house, they started making hue and cry and using abusive words they all asked the informant as to why she is not effecting partition. On protest, petitioner's mother Poonam Devi pushed the informant and petitioner's brother Rajnish Kumar pulled her saree and when informant's grand daughter intervened, she was assaulted by Rajnish on which she raised an alarm whereafter nearby people assembled and saved the informant. When the villagers opened the gate of the room, they found Amit lying unconscious on the bed whereafter he was admitted to the clinic of Dr. Sanjay Kumar Singh on 30-04-2026 from where he was referred to Bhagalpur for better treatment and though Amit was admitted to Shri Ram Hospital on 30-04-2026 but he succumbed to his injuries in the wee hours of 02-05-2026.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that petitioner happens to be the wife of the deceased with whom she was having good relation and they had been living peacefully as husband and wife. He further submitted that Section 103(1) of the

B.N.S. is not made out against the petitioner because neither she had mixed poison in the cold drink nor administered the same to her husband and prays to extend the privileges of anticipatory bail on the ground of absence of criminal antecedent.

On the other hand, learned Addl. P.P. for the State vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

Heard both sides and perused the case record from which it transpires that petitioner and others are named in the F.I.R. and carry allegation of committing murder of her husband by mixing poison in the cold drink and thereafter administering the same to him. The dispute which was taking place between petitioner and her deceased husband Amit has been supported by witness Rupesh Kumar which is mentioned in para 7 of the case diary. This witness happens to be the brother of deceased and he stated that when his daughter Komal Kumari intervened to save her grand mother (informant), she was assaulted and ousted by petitioner's brother Rajnish. The FSL team visited the place of occurrence and collected some suspicious liquid from the freeze and also recovered suspicious liquid from the cattleshed behind the room and the F.S.L. report is still awaited. Further, deceased's brother produced a mobile, a box containing 500 ml insecticide as well as one vest whose seizure list was prepared at the place of occurrence. Dr. Sanjay Singh, in his statement recorded in para 18 of the case diary, stated that deceased Amit Kumar was brought by his villagers and relatives and they stated that deceased had consumed liquor. Para 24 of the case diary shows that though deceased was referred to Mayaganj Hospital but the relatives got him admitted at Sri Ram Hospital, a private hospital, where he succumbed to his injuries. Doctor Md. Safa Allah, in his statement as recorded in para 26 of the case diary, stated that deceased was accompanied by his nephew and wife and relatives of deceased had stated that deceased had been taking alcohol since last one-two days and he consumed poison when dispute arose in his family. The report revealed presence of poison in excess quantity. The postmortem report, as mentioned in para 32 of the case diary, did not mention the cause of death and opinion was kept reserved pending receiving of report of chemical analysis but the doctor opined that it was suspected case of poisoning. The supervising authority has found the case true against this petitioner under Section 108 of the B.N.S. and the investigation of this case is still going on. Therefore, taking into account the nature and gravity of the offence as well as stage of the investigation and severity of the

punishment, this court does not find it a fit case to extend the privileges of the anticipatory bail to the accused petitioner.

Hence, the prayer for grant of anticipatory bail made on behalf of accused petitioner namely **Rajni Kumari @ Rajni Devi** is hereby ***rejected***.

Dictated

sd/-

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	29-07-2026
Date of Reserving judgment/order	-
Uploading Date	31-07-2026
Uploaded by	Stenographer