

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37765 of 2014

Arising Out of PS.Case No. -1007 Year- 2013 Thana -COMPLAINT CASE District- JAMUI

1. Ram Pravesh Singh, S/o Late Halдар Singh.
2. Ranvir Singh @ Ranvir Kumar,
3. Amit Singh @ Amit Kumar, both sons of Ram Pravesh Singh.
All are residents of Village-Laxmipur, P.S.-Pandarak, District-Patna.

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sarwan Kumar Singh, Sr. Advocate
Mr. Dinesh Maharaj, Advocate
Mr. Rajiv Nayan Singh, Advocate
For the State : Ms. Renu Kumari, APP
For the O.P. No. 2 : Mr. Rajesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 13-04-2015 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the complainant.

The petitioners seek anticipatory bail in Complaint Case No. 1007 (C)/2013 in which cognizance has been taken for the offence punishable under Section 302 read with 34 of the Indian Penal Code.

It has been contended that son of the complainant namely, Shambhu Rawat committed suicide on 19.5.2012. His



dead body was sent for post mortem examination and on the basis of a report made by the complainant in this regard, U.D. Case No. 17 of 2012 was registered on 19.5.2012 itself. However, after a lapse of nearly 14 months on 15th July, 2013, the instant complaint has been lodged by the complainant alleging therein that he came to know through one Shashi Bhushan Singh of Samastipur that the petitioners forcibly administered solution of thymet, a highly poisonous substance, to his son as a result of which he died. It has further been contended that the entire case is false, concocted and fabricated with ulterior motive.

On the other hand, learned counsel appearing on behalf of the complainant has vehemently opposed the prayer for bail. He has submitted that initially thumb impression on blank sheet of paper was taken from the petitioner by the police and a U.D. case was registered. It was never known to the complainant that a proper police case has not been instituted. Subsequently, when he came to know that the police has not instituted and investigated the case properly, a complaint was filed in the Court.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of

four weeks from today in the court below, the petitioners, above named, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Jamui in connection with Complaint Case No. 1007(C)/2013 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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