

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26170 of 2018

Arising Out of PS.Case No. -213 Year- 2018 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Sonu Kumar S/o Kanhaiya Prasad Jaiswal, R/o Mohalla- Turha Toli,
Ward No. 10, P.S.- Bettiah Town (Kalibagh O.P.), District- West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 07-05-2018 Heard both sides.

The petitioner apprehends his arrest in Bettiah Town
(Kalibagh O.P.) P.S. Case No.213 of 2018 registered under
Sections 276, 311, 302 of the Indian Penal Code.

The informant alleged that the petitioner gave
medicine to the brother of the complainant-informant for weight
loss. The brother of the informant consumed the herbal medicine
causing vomiting and brother of the informant died on 23.02.2018.

The learned counsel for the petitioner submits that the
brother of the informant died on 23.02.2018 but no post-mortem
was held. The dead body was cremated. The complainant filed
complaint petition on 21.03.2018 on the basis of which present



F.I.R. was lodged on 23.03.2018. Taking into consideration that on mere allegation that the deceased consumed the medicine given by the petitioner but no F.I.R. was lodged immediately thereafter nor any post mortem was held of the dead body. The complaint itself was filed after one month of the occurrence.

Considering the facts aforesaid, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town (Kalibagh O.P.) P.S. Case No.213 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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