

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51544 of 2018

Arising Out of PS. Case No.-400 Year-2018 Thana- NAWADA District- Nawada

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1. Pankaj Pandey @ Pankaj Kumar Pandey son of Ravindra Nath Pandey resident of Village- Bangawn P.S. Fathepur District Gaya.
 2. Nitu Devi wife of Pankaj Pandey @ Pankaj Kumar Pandey
 3. Kanchan Devi wife of Late ChandraMoleshwar Prabhakar Petitioner no. 2 and 3 resident of Village- Shobhiyapar P.S. Town District Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Pramod Kumar Verma, Advocate
For the State	:	Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 328, 307/34 of the Indian Penal Code.

The prosecution case, in short, is that the informant's daughter-in-law Simpi Pandey died in course of preparing tea, for which her brother Pankaj Pandey lodged case which was compromised. It is further alleged that on 12.06.2018 Pankaj Pandey, who lives presently in the house of his maternal uncle at Shobhiya Par, Nawada called the informant, then she came with Jaut Chhoten Pandey to the house of Nana of Pankaj Pandey where the accused persons served tea and biscuit and after



eating biscuit the informant felt giddiness then her Jaut informed the informant's husband on phone, who came and admitted the informant in the Hosptial.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The present case is in retaliation to Annexure-2 to the present application. The said case was instituted by the petitioners side against the informant and her family members. The injury report does not give any positive finding in respect of administration of poison to the victim. Hence, no offence under Section 307 of the I.P.C. is made out.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner,s above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Nawada Town P.S. case No.400 of 2018,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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