

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74293 of 2018

Arising Out of PS. Case No.-359 Year-2018 Thana- BANKA District- Banka

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1. Prakash Panjiyara Son of Late Shibal Panjiyara
 2. Bijay Panjiyara Son of Late Shibal Panjiyara
 3. Kabita Devi Wife of Prakash Panjiyara
 4. Bulu Devi Wife of Prakash Panjiyara All are Resident of Village-Madhavpur, P.S. Bounsi, Distt.-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad
For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 21-12-2018 Heard learned counsel for the parties.

The application for anticipatory bail arises out of Banka P.S. Case No. 359 of 2018, disclosing offences under Sections 328 and 302/34 of the Indian Penal Code.

The deceased died on 01.05.2018. On the basis of the Fardbayan of the mother of the deceased, one U.D. Case bearing Case No. 10 of 2018 was registered with the Banka Police Station on 01.05.2018, in which she appears to have narrated that the deceased appeared to have consumed some poisonous substance, leading to his death. 23 days thereafter, the informant, who is the son of the deceased, got the present FIR registered making allegation against his wife and others



for having administered poison.

Be that as it may, a case for grant of anticipatory bail is made out, in view of delay in lodging of the FIR. The application is accordingly allowed. Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned Chief Judicial Magistrate, Banka in Banka P.S. Case No. 359 of 2018, subject to the conditions, as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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