

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15359 of 2018

Arising Out of PS.Case No. -54 Year- 2017 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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1. AMAN CHOUDHARY @ NAVJEET KUMAR, S/o Mahendra Choudhary, Resident of Village- Chiknauta, P.S.- Baligaon, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.25565 of 2018

Arising Out of PS.Case No. -54 Year- 2017 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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1. Pratima Kumari, W/o Deepak Kumar Chaudhary, D/o Mahendra Chaudhary, Resident of Village-Chiknauta, P.S.-Baligaon, District-Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.15359 of 2018)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

(In Cr.Misc. No.25565 of 2018)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-07-2018 Criminal Misc. No.15359 of 2018 and Criminal Misc. No.25565 of 2018 arise out of the same P.S.Case number as such they are taken together for disposal.

The petitioners are apprehending their arrest in connection with Baligaon P.S.Case No.54 of 2017 , registered for offences



punishable under Sections 341, 323, 328, 302/34 of the Indian Penal Code.

Allegation against the petitioner Aman Choudhary @ Navjeet Kumar is that he called the deceased in his house and thereafter left his house and allegation against Pratima Kumari is that she administered something due to which she felt dizziness and later on she died.

Submission of the learned counsel for the petitioners is that the whole allegation is false and concocted and no specific allegation has been attributed against the petitioners and she has committed suicide.

Heard learned A.P.P. and perused the viscera report, which has been called for by this Court, which does not show any metallic, alkaloidal, glycosidal, pesticidal and volatile poison could be detected in the dark brown fluid.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM XII, Vaishali at Hajipur in connection with



Baligaon P.S.Case No.54 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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