

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62893 of 2019

Arising Out of PS. Case No.-344 Year-2015 Thana- JOGAPATTI District- West Champaran

1. Rameshwar Upadhyay S/o Late Madari Upadhyay, R/o Village- Pakadihar, P.S.- Yogapatti (Shanichari), District- West Champaran.
2. Bimla Devi, W/o Rameshwar Upadhyay, R/o Village- Pakadihar, P.S.- Yogapatti (Shanichari), District- West Champaran.
3. Arvind Upadhyay, S/o Rameshwar Upadhyay, R/o Village- Pakadihar, P.S.- Yogapatti (Shanichari), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-12-2019 This is an application for grant of anticipatory bail in connection with Jogapatti (Sanichari) P. S. Case No. 344 of 2015 disclosing offences under Sections 328, 302, 34 of IPC.

As per F.I.R. the husband of the informant used to keep Rs.3000/- per month with the petitioner no.1 and when he demanded the amount, he was called by the petitioner no.1. Later on, he disclosed that the petitioners have administered poison to him and he died later on.

Submission of the learned counsel for the petitioners is that petitioners no.2 and 3 is wife and son of petitioner no.1. Allegation is false and concocted, which will appear from Para



82 of the case diary where the statement of father of the deceased deceased has been recorded, who has categorically stated that informant has illicit relationship with a person of her Maik, due to that his son has taken poison.

Heard learned A.P.P. also, who has not controverted the above submission.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned C.J.M., Bettiah, West Champaran, in connection with Jogapatti (Sanichari) P. S. Case No. 344 of 2015, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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