

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20576 of 2021

Arising Out of PS. Case No.-155 Year-2019 Thana- MANIYARI District- Muzaffarpur

Shivjee Ray Son Of Late Sundar Rai Resident Of Village- Subdhiya Noor @
Pakahi, P.S.- Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-02-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Maniyari P.S. case No.155 of 2019 registered under Sections 328, 302, 120(B) of the Indian Penal Code.

Allegedly, someone made the informant's father to eat something, as a result of which, he became senseless and started vomiting. He was taken to PHC and ultimately, he was taken to PMCH, Patna, where he died in course of treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



has been made accused due to mistake of fact. As per the allegation in the F.I.R., the petitioner is alleged to have given poison to the deceased, which led to his death. In course of investigation, it has come that the deceased is said to have committed suicide and at best a case for an offence under Section 306 of I.P.C.. There is no evidence to suggest that the petitioner is abettor in the present case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri Rohan Ranjan, Judicial Magistrate, 1st class, West, Muzaffarpur in connection with Maniyari P.S. case No.155 of 2019, 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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