

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47694 of 2021

Arising Out of PS. Case No.-59 Year-2021 Thana- AMAUR District- Purnia

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RAJESH MAHALDAR @ RAJESH KUMAR MAHALDAR Son of Sri
Chamru Mahaldar Resident of Village- Dhatha Ghat, Ramdailli, P.S.-
Jalalgarh, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 302 and
328 of the Indian Penal Code.

As per prosecution case, the informant was informed
that his sister Babli Devi is suffering from diarrhoea and on
such information he proceeded and on the way he received
information that his sister has been brought at Sadar Hospital,
Purnea for treatment and thereafter she died. It is further
alleged that the informant's sister (deceased) was administered
poison by the petitioner and other accused persons.

It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case. He further submits referring to para-8 of the case diary that the daughter of the deceased, namely, Komal Kumari aged about 14 years wherein she has stated that an altercation took place between the deceased and this petitioner and the petitioner went away from her house at about 4 P.M. and thereafter at about 7 P.M. on the same day, the condition of her mother deteriorated and she was admitted in hospital but thereafter she died. It is also submitted that the land dispute is also existing between the parties. He further submits that there is no evidence has been found that substance like poison has been administered to the deceased.

Learned APP appearing for the State has opposed the prayer for anticipatory bail and submits that postmortem report shows that the death of the deceased was not ascertained and viscera report was kept reserved.

In the facts and circumstances of the case, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four 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 Sri Rohit Kumar, Judicial



Magistrate, Ist Class, Purnea/concerned Court in connection
with Amour P.S. Case No. 59 of 2021, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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