

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46033 of 2023

Arising Out of PS. Case No.-491 Year-2022 Thana- TEKARI District- Gaya

1. RANJU DEVI @ RANJU KUMARI WIFE OF AMARJIT LAL RESIDENT OF VILLAGE- BALA BIGHA, PS- TEKARI, DIST- GAYA
2. GAURI DEVI WIFE OF MAHENDRA PRASAD RESIDENT OF VILLAGE- KURHARI, PS- SHAKURABAD, DIST- JEHANABAD
3. MAHENDRA PRASAD SON OF LATE RAM SEVAK PRASAD RESIDENT OF VILLAGE- KURHARI, PS- SHAKURABAD, DIST- JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Mishra
For the State	:	Mr.Ram Anurag Singh
For the informant	:	Mr. Sunil Kumar
		Mr. Pankaj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-08-2023 1. Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Tekari (Panchanpur O.P.) Police Station Case No. 491 of 2022, disclosing offences punishable under Sections 328/307 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner no. 1, at the behest of petitioner nos. 2 and 3, mixed poison in the food which was given to the



petitioner, due to which he fell sick and was admitted to the hospital.

4. Learned Counsel for the petitioners submits that the petitioner no. 1 is the wife of the informant whereas the petitioner nos. 2 and 3 are mother and father of petitioner no. 1. He further submits that the petitioners are innocent and have not committed any offence. He further submits that the informant has lodged the present First Information Report in retaliation of Complain Case No. 547 of 2018 and Maintenance Case No. 71 of 2018, filed by the petitioner no. 1 against the informant. He further submits that the prosecution has failed to produce the case diary before the learned Sessions Judge.
5. On the other hand, learned Counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that the petitioner no. 1 is the main accused who gave the poisoned food to the informant.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is dispute between the husband (informant) and the wife (petitioner no. 1) prior to the lodging of the present First Information Report, I am inclined to grant the



petitioners privilege of anticipatory bail.

7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Gaya, in connection with Tekari (Panchanpur O.P.) Police Station Case No. 491 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

