

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69445 of 2022

Arising Out of PS. Case No.-411 Year-2017 Thana- HILSA District- Nalanda

1. SUNIL CHAUDHARY @ SUNIL KUMAR CHAUDHARY @ DR. SUNIL CHAUDHARY S/O MOHAN CHAUDHARY Resident of village- Gyatri Nagar, Sati Sthan, Chiksaura Road Hilsa, P.S.- Hilsa, District- Nalanda, Bihar.
2. BHARAT SINGH S/O VIJAY SINGH Resident of village- Akhtiyarpur, P.S.- Nagarnausa, District- Nalanda Bihar.
3. RAJIV KUMAR @ TITU S/O RAM SOHAWAN SINGH Resident of village- Akhtiyarpur, P.S.- Nagarnausa, District- Nalanda Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Bihari

For the Opposite Party/s : Mrs.Dr. Indiarwar Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2023 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 302, 201, 328/ 34 of the Indian Penal Code.

As per the prosecution case, these petitioners, in collusion with each other, administered poisonous injection to the son of informant as a result of which he died.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that petitioner No.1 is a doctor posted as tutor in Vardhman Institute of Medical Science, Pawapuri, petitioner No.2 is a business man and petitioner No.3 is working with auto finance company. It is next submitted that police after investigation submitted final form as mistake of



fact. There is delay of 42 days in lodging the case without any explanation for delay. During the investigation it has come that son of informant himself consumed poison and died.

Learned counsel appearing for the State and the informant opposed the prayer for anticipatory bail and submitted that during the course of investigation all the witnesses have supported the prosecution case and tower location of the mobile of petitioners were found near the place of occurrence.

Considering the facts of the case and the fact that police after investigation submitted final form, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Hilsa in connection with Hilsa PS case No. 411/ 2017, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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