

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38056 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- VISHNUPAD District- Gaya

Rajesh Ranjan @ Pappu Kumar Son of Ramnaresh Prasad @ Ram Naresh Prasad Resident of Village - Ghughari Tand, P.S. - Vishnupad, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Vishnupad Temple P.S. Case No. 335 of 2023, registered on 07.12.2023 for the offences under Sections 302 and 328/34 of the Indian Penal Code.

3. As per prosecution case, petitioner was married with the sister of the informant who alleged that the petitioner and other co-accused persons administered poison to his sister and she died during her treatment.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The victim was a short tempered lady and was suffering from mental illness. She had been treated



at Central Institute of Psychiatry, Kanke, Ranchi on 05.08.2019 and prior to that she had been treated by a local doctor at Gaya on 03.02.2019. The sister of the informant herself consumed poison and the petitioner himself took her to the hospital for treatment but her life could not be saved. The allegation is not believable against the petitioner and his family members due to the fact that if they would have administered poison, why they would take the sister of the informant to the hospital. During investigation, the seven years old son of the deceased was examined on the same day and he stated that his mother herself consumed poison. A neighbour, who accompanied the petitioner to the hospital, has also stated about deceased taking poison. The version of the informant is not believable for the reason that the wife of the petitioner became unconscious while she was under treatment and this fact has been stated by an independent witness. Learned counsel further submits that thereafter the matter has been compromised between the parties. Petitioner is having clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner and other co-accused persons is that they administered poison to the sister of the



informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the strong possibility of false implication in the background of the facts enumerated hereinbefore, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya/ court concerned in connection with Vishnupad Temple P.S. Case No. 335 of 2023, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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