

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49835 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- MAGADH UNIVERSITY District- Gaya

Pintu Kumar Son of Mr. Karu Paswan R/O Vill.- Ghonghwa, P.s.- Dhobhi,
Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh

For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-08-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State, Mr. Rabindra Kumar.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that her daughter was in love with Pintu who had promised that he will marry her daughter, further best effort of the family to dissuade the deceased from meeting and talking to the petitioner failed, next alleges that the victim (deceased) disclosed that parents of petitioner are not allowing him to marry her and said that if Pintu does not marry her, she will face ridicule, further on 28.01.2024, petitioner and his parents called



the victim on pretext of marriage and accordingly she left for Gaya Dobhi Road where she was forcibly given some poisonous medicine, on account of which she became unwell and was taken to hospital by the villagers, where she died on 29.01.2024.

4. Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that in sum and substance, the informant alleges that her daughter was in love with this petitioner and the parents of the petitioner refused from marrying her daughter, on account of which the daughter of the informant was disturbed, further she was called by the petitioner and his parents on pretext of marriage and when she went, she was forcibly administered poison by the accused persons on account of which she died during the course of treatment. The learned counsel next submits that it absolutely does not stand to reason as to why the petitioner and his family member would have forcibly administered poison to the deceased knowing well that the informant and others were aware that she was going to meet the petitioner. It is also submitted that since petitioner was not willing to disobey the command of his parents and when he conveyed the same to the victim, she consumed poison and thereafter she was taken to hospital where she died.



5. Learned A.P.P. for the State, Mr. Rabindra Kumar, opposes the prayer for anticipatory bail of the petitioner and submits that there is specific allegation in the FIR against the petitioner that he along with his parents administered poisonous medicine to the victim on account of which she died during the course of treatment, on which the learned counsel appearing on behalf of the petitioner submits that informant is not an eye witness to the occurrence nor the FIR even remotely suggests that the deceased had disclosed to the informant that she was administered poisonous medicine forcefully by the petitioner or his family members, but then fairly submits that petitioner will not abscond rather with cooperate in the investigation.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Magadh University P.S. Case No. 22 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation or is not presenting himself as and when required, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner after recording reasons.

8. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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