

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70173 of 2024

Arising Out of PS. Case No.-479 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Anil Sah, Son of Late Ram Narayan Sah @ Late Narayan Sah, R/O Rahsi,
Near Karbala, P.S.- Bochaha, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ritwik Thakur, Advocate
		Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 23-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bochaha P.S. Case No. 479 of 2023 registered for the offences punishable under Sections 341, 342 and 328/34 of the Indian Penal Code.

3. The allegation against the petitioner and other co-accused persons is of administering poison to the informant on account of a trifle.

4. Learned Advocate for the petitioner drawing the attention of this Court to the fardbeyan of the informant contended that surprisingly the occurrence took place on 14.08.2023 and on being treated by the doctor, she was discharged on 17.08.2023, but the F.I.R. has been instituted on



19.08.2023 and, as such, deliberation cannot be ruled out. Apart from omnibus nature of allegation, the informant has not come out with the real facts of the case, inasmuch, as the father of the present informant, namely, Dinesh Sah and the petitioner are cousin brothers and the grand father of the petitioner and Dinesh Sah (father of the informant) is late Jagdeo Singh. It is next contended that the house of the informant is a joint family house, wherein various persons reside and on account of a trifle, the allegation of administering poison does not inspire any confidence. During the course of investigation some of the witnesses have disclosed that the informant used to talk to a boy and on the alleged date of occurrence on account of some dispute between the boy and the informant, she herself consumed poison.

5. On the other hand, learned APP for the State opposes the bail application and submits that specific allegation has been levelled against the petitioner that he along with others administered poison to the informant. The petitioner also bears two criminal antecedent.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the F.I.R., coupled with the fact that the informant has suppressed



the relevant facts and the statement of the witnesses, which say otherwise to the allegation levelled in the F.I.R., let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, East Muzaffarpur in connection with Bochaha P.S. Case No. 479 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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